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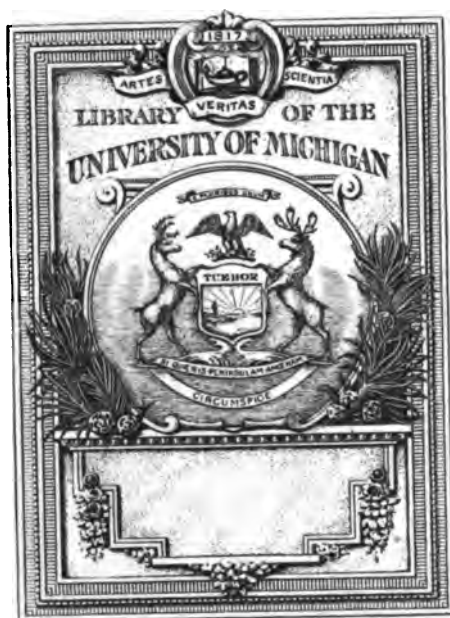
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JOURNAL
OF THE
Assembly
A S S E M B L Y

OF THE
STATE OF NEW-YORK;

AT THEIR
SEVENTY-SEVENTH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
THIRD DAY OF JANUARY, 1854.



ALBANY:
CHARLES VAN BENTHUYSEN, PRINTER TO THE LEGISLATURE.

1854.

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JOURNAL OF THE ASSEMBLY.

STATE OF NEW-YORK :

ASSEMBLY CHAMBER IN THE CITY OF ALBANY,

TUESDAY, JANUARY 3, 1854.

Pursuant to the sixth section of the tenth article of the Constitution of this State, the gentlemen whose names are given in the following list, with the exception of those marked with an asterisk, appeared in the Assembly chamber. The said list contains the names of the representatives in Assembly for the current year, viz :

County.	District.	Name.
Albany,.....	1	Stephen M. Hollenbeck,
	2	Izrahiah W. Chesebro,
	3	Robert H. Pruyn,
	4	Archibald A. Dunlop,
Allegany,	1	Gideon H. Jenkins,
	2	Lucius S. May,
Broome,		Robert Harpur,
Cattaraugus,.....	1	William H. Wood,
	2	James Kirkland,
Cayuga,	1	Justus Townsend,
	2	Mosely Hutchinson,
	3	Mathias Hutchinson,
Chautauque,	1	Walter L. Sessions,
	2	Francis W. Palmer,
Chemung,		John M. Randall,
Chenango,	1	Levi Harris,
	2	Rufus J. Baldwin,
Clinton,.....		George V. Hoyle,
Columbia,	1	Milton Martin,
	2	Harvey W. Gott,
Cortland,		Perrin H. McGraw,
Delaware,	1	Samuel F. Miller,
	2	Daniel Rowland,

County.	District.	Name.
Dutchess,	1	Peter P. Monfort,
	2	George W. Sterling,
	3	William H. Bostwick,
Erie,	1	William W. Weed,
	2	Rollin Germain,
	3	Charles A. Sill,
	4	Edward N. Hatch,
Essex,		Jonathan Burnet,
Franklin,		Andrew W. Ferguson,
Fulton and Hamilton,		Wesley Gleason,
Genesee,	1	Theodore C. Peters,
	2	Joseph Cook,
Greene,	1	Joshua Fiero, Jr.,
	2	George Robertson,
Herkimer,	1	Gardner Hinkley,
	2	Dean Burgess,
Jefferson,	1	Calvin Littlefield,
	2	Alden Adams,
	3	William Dewey,
Kings,	1	John G. Bergen,
	2	Samuel D. Backus,
	3	Samuel D. Morris,
Lewis,		Jonathan C. Collins,
Livingston, ...	1	Leman Gibbs,
	2	Abram Lozier,
Madison,	1	Samuel White, 2nd,
	2	Franklin M. Whitman,
Monroe,	1	Lyman Payne,
	2	James L. Angel,
	3	Pliny B. Holdridge,
Montgomery,	1	Aaron W. Hull,
	2	Hezekiah Baker,
New-York,	1	Peter H. Graham,
	2	George De Witt Clinton,
	3	Daniel W. Clarke,
	4	Theodore A. Ward,
	5	Edmund P. Barrow,
	6	William B. Aitkin,
	7	Charles C. Leigh,
	8	George H. Richards,
	9	Daniel Willis,
	10	Joseph W. Savage,
	11	James M. Boyd,
	12	Peter Dawson,
	13	Frederick A. Conkling,
	14	John P. Cumming,
	15	Edwin A. Ware,
	16	Alexander P. Sharp,

County.	District.	Name.
Niagara,	1	Robert Dunlap,
	2	Reuben F. Wilson,
Oneida,	1	Joseph Benedict,
	2	A. Pierson Case,
	3	Derick L. Boardman,
	4	James Mitchell,
Onondaga,	1	James M. Munro,
	2	Milton A. Kinney,
	3	Daniel P. Wood,
	4	William Richardson,
Ontario,	1	Jesse Cost,
	2	Stephen V. R. Mallory,
Orange,	1	Charles U. Cushman,
	2	Charles M. Thompson,
	3	Andrew J. Mills,
Orleans,		Jeremiah Freeman,
Oswego,	1	De Witt C. Littlejohn,
	2	Azariah Wart,
Otsego,	1	Lewis Whipple,
	2	Andrew A. Mather,
	3	St. Paul Seeley,
Putnam,		James J. Smalley,
Queens,		John A. Searing,
Rensselaer,	1	Jonathan Edwards,
	2	Lyman Wilder,
	3	George Brust,
Richmond,		Nicholas Crocheron,
Rockland,	4	John I. Suffern,
St. Lawrence,	1	Barnabas Hall,
	2	Silas Baldwin,
	3	Levi Miller,
Saratoga,	1	George W. Neilson,
	2	Joseph Baucus,
Schenectady,		Matthew Winne, Jr.,
Schoharie,	1	Jacob J. Barton,
	2	James S. Wood,
Seneca,		David D. Scott,
Steuben,	1	John F. Williams,
	2	Benajah P. Bailey,
	3	Obadiah Stephens,
Suffolk,	1	*George Miller,
	2	William S. Preston,
Sullivan,		Amos Y. Sheeley,
Tioga,		Lewis P. Legg,
Tompkins,	1	Benjamin Joy,
	2	Eli Beers,
Ulster,	1	Mæker Gorham,
	2	John B. Howell,

County.	District.	Name.
Warren,		David Noble, 2nd,
Washington,	1	Ebenezer McMurray,
	2	George W. Thorn,
Wayne,	1	Willis G. Wade,
	2	John P. Bennett,
Westchester,	1	Elijah Lee,
	2	Jacob Odell,
Wyoming,		Alonzo B. Rose,
Yates,		David G. Underwood.

The members elect were called to order by John S. Nafew, Clerk of the last House.

The proceedings were opened with prayer by the Rev. Dr. Wyckoff.

The Hon. Elias W. Leavenworth, Secretary of State of the State of New-York, administered to the members present the oath of office prescribed by the 12th article of the Constitution of this State, and the said oath was thereupon subscribed by the members.

On motion of Mr. D. P. Wood,

Resolved, That the House now proceed to choose a Speaker, that the list of members be called, and that each member, as his name is called, rise in his place and openly nominate the person whom he desires for Speaker.

The Clerk then proceeded to call the list of members, and they rose in their seats and nominated as follows :

FOR ROBERT H. PRUYN,

Adams	Case	Graham	Martin	Seasions
Angel	Chesebro'	Harpur	May	Sharp
Bailey	Cook	Harris	McGraw	Sill
Baker	Conklin	Hatch	McMurray	Stephens
Buckus	Crocheron	Holdridge	Mitchell	Thorn
R. J. Baldwin	Cumming	Hoyle	Monfort	Townsend
S. Baldwin	Dewey	Hull	Nelson	Underwood
Barrow	A. A. Dunlop	Mat. Hutchinson	Palmer	Ward
Bennett	Edwards	Mos. Hutchinson	Payne	Ware
Benedict	Fiero	Jenkins	Peters	Weed
Beers	Freeman	Kinney	Richardson	Whipple
Bergen	Germalt	Kirkland	Robertson	Willis
Boardman	Gleason	Littlefield	Rose	Winne
Boyd	Gorham	Littlejohn	Savage	D. P. Wood
Burnett	Gott	Lozier	Scott	

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FOR GEORGE D. W. CLINTON,

Aitkin	Cushman	Miller	Searing	White
Barton	R. Dunlap	Morris	Sheeley	Whitman
Baucus	Gibbs	Noble	Smalley	Wilson
Bostwick	Hollenbeck	Odell	Suffern	J. S. Wood
Brust	Lee	Preston	Thompson	

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FOR JONATHAN C. COLLINS,

Burgess	Hall	L. Miller	Richards	Wart
Clark	Hickley	S. F. Miller	Rowland	Willers
Dawson	Lea	Randall	Seeley	Williams
Ferguson	Leigh			

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Howell	Joy	FOR G. W. STERLING,	2
Collins		FOR B. HALL,	1
Mather		FOR J. M. MUNRO,	1
Munroe		FOR BENJ. JOY,	1
Sterling		FOR J. B. HOWELL,	1

Mr. Pruyn having received a majority of the whole number of votes cast, was declared by the Clerk duly elected.

Messrs. Clinton and Littlejohn conducted the Speaker to the chair, whereupon he delivered the following address, to wit.

Gentlemen of the Assembly—I thank you for the honor you have conferred upon me by selecting me to preside over your deliberations. I am deeply sensible that this honor is attended with weighty responsibilities; and that in the discharge of the delicate duties of the Chair, I shall need your kind indulgence.

If, at any time, the rules which you shall adopt for your government, shall appear to any of you to impose unnecessary restraint, I ask you to remember that a rigid adherence to them is necessary for the protection of the rights of the minority, and for the prompt and satisfactory discharge of the legislative duties of all. If their administration by myself shall be characterised by firmness without severity, and by strict impartiality, I shall expect and feel assured that I shall receive your cordial co-operation and support.

In all your deliberations I humbly implore the guidance of that Almighty Power without whose favor all human effort is unavailing; so that at the end of the session, we shall be able to present a record of acts which will reflect credit upon ourselves and promote the well-being of this great and growing State.

On motion of Mr. Sessions,

Resolved, That the House now proceed to choose a Clerk, that the list of members be called, and that each member, as his name is called, rise in his place and openly nominate the person whom he desires for Clerk, which was adopted.

The Clerk then proceeded to call the list of members, and they rose in their seats and nominated as follows:

FOR RICHARD U. SHERMAN,

Adams	Cheesebro'	Harpur	London	Scott
Angel	Cook	Harris	Martin	Sessions
Bailey	Conkling	Hatch	May	Sharp
Baker	Cost	Holdridge	McGraw	Sill
Backus	Crocheron	Hoyle	McMurray	Speaker
R. J. Baldwin	Cumming	Hull	Mitchell	Stephens
S. Baldwin	Dewey	Mat. Hutchinson	Monfort	Thornd
Barrow	A. A. Dunlop	Mos. Hutchinson	Nelson	Townsend
Bennett	Edwards	Jenkins	Palmer	Under

Benedict	Fiero	Joy	Payne	Ward
Boers	Freeman	Kinney	Peters	Ware
Bergen	Germain	Kirkland	Richardson	Weed
Boardman	Gleason	Leigh	Robertson	Whipple
Boyd	Gorham	Littlefield	Rose	D. P. Wood
Burnett	Gott	Littlejohn	Savage	J. S. Wood
Case	Graham			

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FOR JOHN S. NAFTEW,

Atkin	Clinton	Lee	Preston	Thompson
Barton	Cushman	Mills	Searing	White
Baucus	R. Dunlap	Morris	Sheeley	Whitman
Bostwick	Gibbs	Noble	Smalley	Wilson
Brust	Hollenbeck	Odell	Suffern	J. S. Wood

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FOR HORACE MOODY,

Burgess	Ferguson	Legg	Richards	Wart
Clark	Hall	L. Miller	Rowland	Wilder
Collins	Hinkley	S. F. Miller	Seeley	Williams
Dawson	Howell	Randall	Sterling	

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FOR MR. PETTINGILL,

Mather

1

Mr. Speaker thereupon declared Richard U. Sherman duly elected Clerk of this House.

Mr. Sherman appeared and took the constitutional oath of office, and entered upon the discharge of his duties.

On motion of Mr. Benedict,

Resolved, That the rules of the last House be adopted as the rules of this, until otherwise ordered, provided there shall be a committee of five appointed to revise them, which committee shall have power to report at any time, and their report shall be acted on by the House until approved of, to the exclusion of other business, anything in any temporary rules to the contrary notwithstanding.

On motion of Mr. Benedict,

Resolved, That the clergymen of the various denominations in the city of Albany be requested to open the daily sittings of the House with prayer.

On motion of Mr. Clinton,

Resolved, That the thanks of this House be, and they are hereby, presented to John S. Nafew, late Clerk of the Assembly, for the very able, courteous and impartial manner in which he has discharged his duties at the opening of the present session. And that in retiring from his official duties, he carries with him our best wishes for his future success and welfare.

Mr. R. J. Baldwin offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Silas D. Nichols, of Chenango, be and he is hereby appointed sergeant-at-arms of the Assembly.

Mr. Clinton moved to amend by substituting the name of Curtis Barnes for Silas D. Nichols.

Mr. Hall moved, an amendment to the amendment, by substituting the name of John F. Phelps for Silas D. Nichols.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hall, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Littlejohn offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That John Davis, of Otsego, be appointed door-keeper.

Mr. Aitkin moved to amend by substituting the name of Ward Thompson for John Davis.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitkin, and it was determined in the negative.

Mr. Hall moved to amend by substituting the name of George B. Wooldridge, of Sullivan

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hall, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution and it was determined in the affirmative.

Mr. Palmer offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Byron Ellsworth be declared duly elected first assistant door-keeper.

It was moved to amend by substituting the name of Samuel Spencer, of Livingston.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

It was also moved to amend by substituting the name of A. S. Brown, of Otsego.

Mr. Speaker put the question on agreeing to the amendment, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sessions offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That John Lewis, of Cattaraugus, be declared duly elected second assistant door-keeper.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

The sergeant-at-arms, door-keeper and assistant door-keeper elect, were then sworn in by the Speaker, and entered upon the discharge of their duties.

Messrs. Robertson and Spencer, a committee from the Senate, announced that that body was now organised and ready to proceed to business.

On motion of Mr. Cumming,

Resolved, That a committee of two be appointed to wait upon the Governor, and inform him that this House is now organised and ready to proceed to business.

Messrs. Cumming and Odell were appointed such committee.

On motion of Mr. Peters,

Resolved, That a committee of two be appointed by the Speaker to wait upon the Senate and inform that body that this House is organised and ready to proceed to business.

Messrs. Peters and Hall were appointed such committee.

Mr. Sessions offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the names of all the members of the House be placed upon ballots of uniform size, and so folded as to conceal the names; that these ballots be placed in a box and thoroughly shaken, and that this be done in presence of the members, under the direction of a committee appointed by the Speaker, and the Speaker shall take the box, when thus prepared, into his custody; that the members of the House be then requested to retire into the cloak-room, or without the bar, and remain there until summoned by the Sergeant-at-Arms, who shall stand at the door of the cloak-room, and immediately report to the Speaker the name of any member who shall enter the House without being thus summoned, and that the Clerk report to the Speaker when every seat in the House shall have been thus vacated; that some person, not a member nor an officer of the House, to be designated by the Speaker, then draw from the box, without looking into it, one ballot and hand the same to the Speaker, who shall examine it and hand it to the Clerk, who shall announce to the Sergeant-at-Arms the name written upon it, and the Sergeant-at-Arms shall then call in the member thus designated, who shall forthwith choose a seat, and sit in it until the drawing be closed, under the penalty of forfeiting the seat; then when one seat shall have been thus chosen, and the choice announced by the member choosing to the Clerk, by the Clerk to the Sergeant-at-Arms, by the Sergeant-at-Arms to the members without the bar, and not before another ballot shall be drawn and another choice made in the manner designated above; and the same process shall be repeated until the Speaker shall announce that all the names have been drawn, or all the seats chosen, and a session be held at 3½ o'clock this afternoon for such drawing.

Mr. Peters moved to amend by substituting the hour of 4 o'clock for 3½.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Peters, from the committee appointed to wait upon the Senate and inform that body that this House was organised and ready to proceed to business, reported that the committee had discharged that duty.

Mr. Cumming, from the committee to wait upon the Governor, reported that that committee had discharged the duty assigned them.

A message from the Governor was received and read, in the words following, to wit:

To the Senate and Assembly :

You are assembled for the purpose of framing such laws as are demanded by the interests of the people of the State of New-York. The Constitution invests you with the power, and imposes upon you the duty of adopting measures to promote education, to restrain vice, to punish crime, to protect the rights of persons and property, and to advance the welfare of this great commonwealth, composed of more than three millions of citizens.

The Almighty Ruler of the Universe has during the past year signally favored our people, and bestowed upon them the blessings of health and freedom from wars or civil convulsions. The labors of the husbandman have received abundant returns : our artisans have been constantly and profitably employed : our manufacturers have successfully conducted their varied pursuits : and the commerce of our State has extended itself far beyond its former limits. May Divine wisdom so guide your counsels, that they shall tend to the advancement of religion and learning ; to the promotion of liberty and order ; and to the general welfare of those whom you represent. The duties which are now imposed upon you are complicated and important. There will be required on your part the exercise of firmness, wisdom, and integrity, to preserve the high character heretofore held by this State, and to maintain the prosperity which now pervades every department of its social and industrial organization.

The history of New-York has been an honorable one from the earliest period. While the citizens of other states have with pious reverence preserved the memory of the incidents of their early settlements, too little attention has been bestowed on the more varied, and in many respects more interesting immigration to the shores of the Hudson. Drawn as it was from most of the enlightened nations of Europe, it established here, at an early day, the best principles of civil and religious freedom then known to the world. From the first hour of the settlement of this State, all who desired to avail themselves of the benefits of

its fertile soil and ample territories, or of the great natural advantages of its position, were cordially welcomed, without reference to the lands of their birth or the peculiarities of their creeds. Our State has always presented the gratifying spectacle of a prosperous and harmonious community, composed of those, or the descendants of those, who came from hostile lands, where national distinctions or differences of faith were regarded as sufficient grounds for continued warfare or religious persecution; but who have learned under our free and beneficent institutions, the advantages of toleration, and the unworthiness of national or sectarian prejudices.

Not only were different portions of New-York originally settled by emigrants from the several countries of Europe, but the representatives of every European people are now scattered broadcast over our whole State. There is no civilized language which is not used at the fireside of some of our citizens, or which is not, on each returning Sabbath, poured forth in prayer and thanksgiving to the God of all nations and of all climes. When we cease to feel a just pride in our freedom from national prejudices or religious bigotry, we shall show to the world that we are less wise, humane, and tolerant, than those who, two hundred years since, first established here the institutions of religion and laws. The prosperity and greatness of New-York are the results of labor, skill, intelligence, and civilization drawn from the most diversified sources, as its population is composed of those of the most varied nationality and lineage.

During the period of our connection with Great Britain the provincial assemblies of New-York were the first to assert the great principles of popular rights, and of civil liberty, in constant and steady resistance to the efforts of the colonial governments to establish and extend the pretended prerogatives of the crown. The rights of the people were clearly asserted and boldly maintained; and when the period of the revolution arrived our citizens were prepared to defend their liberties, not from the influence of passion or excitement, but because they clearly understood and appreciated the nature and consequences of threatened encroachments.

Throughout the revolutionary struggle our territories were the scenes of its most important events. New-York was assailed by all the varied forms of warfare under the control of the British government, which attacked our commerce and seaports with its fleets and invaded the northern section of our State with its disciplined armies, while its savage allies desolated our frontier settlements with the torch and the tomahawk.

It is remarkable that our public spirit has not yet prompted us to follow the example of other states in commemorating by suitable memorials and monuments, the services and sacrifices of our forefathers, or in exciting the patriotism of our citizens and of a distant posterity, by reminding them that our own territories

have been the scenes of events of such deep interest and national importance.

The first Constitution of this State, adopted before our national independence had been successfully asserted, evinces in every provision how thoroughly our citizens at that day understood their personal, civil and constitutional rights. To the statesmanship of New-York is the nation largely indebted for the essential provisions and wise restrictions of power contained in the amendments to the Constitution of the United States. When the history of our State shall be faithfully written, and the importance of the occurrences which mark its progress shall have been tested by time New-York will be found to have occupied a more important position than has been claimed by its sons, or accorded by the citizens of other States.

Though the war of the revolution allowed to our people but little leisure during its progress to improve the jurisprudence of the State, primogeniture and entails were extinguished—military tenures were abolished—the right of petition was firmly secured—and the great principles of civil liberty were relieved from the restraints which a monarchical government had imposed. When peace permitted the full extension of the republican principle, and our statesmen and jurists assembled in the majesty of their representative character, the improvement of our jurisprudence advanced with a rapidity unequalled by any of the States.

Our judiciary, who have ever been distinguished for their learning, their probity, and their capacity, joined fully and warmly the legislative councils in adapting our laws to our condition. Imbued with the same spirit, they expounded the statutes and moulded the principles of the common law so as to give the utmost expansion to justice and liberty.

The great work of reconstructing the whole body of statutory laws, of condensing, simplifying and reducing them to a system, originated in this State; and its successful completion received the applause of the most distinguished statesmen of other countries. It is justly regarded as a monument of labor and ability, and has rendered an important service to the mass of our people by making our laws more accessible and familiar.

Our State was the first to establish a permanent and comprehensive system of popular education. It has been foremost in the works of internal improvement designed to facilitate commerce and intercommunication and to advance the wealth and prosperity of our people. The first steamboat was launched upon its waters—the first canal of any extent upon this continent was excavated upon its soil, and united the vast inland seas of our country with the Atlantic ocean. Long lines of railroads thread our vallies, overcome rocky barriers, and extend the advantages of commercial intercourse to the most secluded recesses of our land.

The successful achievements of our State heretofore, and the prosperity which it now enjoys, are attributable not only to the

enterprise and sagacity which have suggested great undertakings, but also to the prudence and economy of its legislation, and the official purity and stern devotion to the public interests on the part of those who were entrusted with their management. These improvements have not been the results of speculative excitements, or of profuse expenditure. On the contrary, when the great principles of prudent economy have been overlooked, or the interests of persons or of localities have been more regarded than the public welfare, our progress has been disastrously impeded.

This brief review of some prominent events has been presented to animate our citizens and their representatives with the patriotic purpose of making the annals of the future as honorable as the history of the past.

The Constitution imposes upon you the duty of guarding the interests and promoting the welfare of a State that has attained this high degree of prosperity and greatness. It will afford me great pleasure to co-operate with you in all measures which will promote the interests of our State and be beneficial to its population.

The abstracts accompanying the annual report of the Superintendent of Common Schools, will show their present condition, and the amount of money apportioned for their use during the coming year.

The amount of the Common School Fund on the 30th of September last, was..... \$2,383,251 23
Being an increase over the last fiscal year of,.... 28,727 14

It is estimated that the revenue of the fund during the current year, will justify an increased appropriation of \$10,000.

The total amount of moneys apportioned by the Superintendent for the coming year is, \$1,101,240 84

This sum is made up of the following items :

Avails of State tax,.....	800,000 00
Appropriation from Common School and United States Deposit Fund,.....	300,000 00
Balance in the hands of State Superintendent,...	1,240 84
	<hr/>
	\$1,101,240 84
	<hr/>

The number of schools in 1852 was 11,684.

	1851.	1852.
Whole number of children taught		
in district schools,.....	862,507	866,935
No. attending private schools,..	31,767	36,844
No. of children attending colored schools,	4,416	1,680
Average number of months that schools were taught in the districts by duly qualified teachers,	7.7	7.2

Number of volumes in district libraries,.....	1,570,131	1,604,210
Amount paid for teachers' wages,	\$1,681,316 00	\$1,931,870 18
Am't paid for district libraries,	90,579 50	49,499 39
Total amount expended for common schools,	2,249,814 02	2,469,248 52

The subject of common school education at this time attracts a large share of attention. Many public spirited citizens have interested themselves in devising and promoting measures to extend the advantages of education—to improve its systems—to elevate its character, and to adapt it to the wants of those engaged in the different pursuits of life. We have reason to hope that their labors and investigations will lead to the adoption and practical success of measures which will be productive of decided advantages. A number of academies have recently been established in different sections of our State, and the numerous attendance of pupils shows that the benefits of education are generally appreciated. The office of the teacher is held in much greater esteem than it was a few year since. The influence of the Normal school is felt throughout the State, as it furnishes an increasing body of teachers whose superior requirements and competency have shown the great advantages of well educated and thoroughly prepared instructors.

I recommend the separation of the office of Superintendent of Common Schools from that of the Secretary of State. The establishment of a distinct department devoted to the interests of education, is calculated to give more prominence to the subject, and to elevate it in public estimation. Every effort should be made to harmonize our system of instruction—to do away with the impression that our colleges and academies are institutions of learning distinct from, if not in some degree antagonistic to our common schools. This measure would also facilitate the establishment of agricultural or mechanical colleges, designed for instruction in the practical sciences.

In accordance with the recommendation of the Secretary of State in his last annual report, I suggest the propriety of establishing State scholarships in our higher institutions of learning, for the purpose of educating young men for principals of union and high schools; and that the advantages of the endowments be conferred upon meritorious pupils in the different counties or Assembly districts. If this system is adopted, it will serve the double purpose of elevating our common schools and of promoting merit—and at the same time afford aid to our colleges in a manner free from the objections which exist in the minds of many, to giving the public funds to institutions which are supposed to benefit only a small portion of the community.

The Asylum for the Training and Education of Idiotic and Imbecile Children, has during the last year, continued its successful progress, and has invigorated the hopes and confirmed the

expectations of those citizens who had faith in the power of discipline to develop the faculties of this hapless class. Their gradual advance from the lowest degrees of imbecility, to a capacity for self-control and for the acquisition of the ordinary branches of an English education, has been as remarkable as it has been encouraging.

Numerous applications from every quarter of the State, for the admission of pupils, have been unsuccessful, in consequence of the want of room for their accommodation. The appropriation made at the last session of the Legislature for the erection of a suitable building, was found to be inadequate for the purpose; and although the trustees have procured a site, they have very properly abstained from entering into further engagements that would involve expenditures beyond the amount directed by the Legislature. In their annual report they will present a full account of their proceedings and of the condition of the asylum; and the urgent reasons for such an increase in the appropriation as is necessary to complete an edifice, with its appropriate appurtenances, adapted to the object and commensurate with its importance.

I can not forbear commending to your most favorable consideration this excellent charity. The strict economy, prudence, fidelity, and respect to legislative direction, with which its affairs have been managed, furnish satisfactory assurance that no more will be asked than is really necessary, and that what may be granted will be faithfully and judiciously applied.

There are at this time 446 patients in the State Lunatic Asylum at Utica, and 556 in the Lunatic Asylum on Blackwell's Island. It appears by the reports which have been submitted to me, that the efforts to improve the condition of this unfortunate class of persons have been attended with the usual degree of success. I renew the recommendation contained in my message of last year for the establishment of another asylum in the western part of the State. The accommodations at the asylum on Blackwell's Island and at Utica, are insufficient for the present number of inmates; and admission has been refused to a large number of persons.

There are 111 pupils in the New-York Asylum for the Blind, and 55 persons afflicted with the loss of sight employed in teaching in the different departments, or as operatives in the manufactories attached to the establishment. It not only affords instruction to pupils, but by the employment which it gives in its workshops supports a large number of blind persons, some of whom have families dependant upon them.

The directors of the Asylum for the Deaf and Dumb, have determined to remove it to a more favorable site, on which they are erecting buildings which will contain ample accommodations. This institution continues to fulfill the objects of its benevolent founders. It now contains 280 pupils, 192 of whom are beneficia-

ries of the State of New-York. In addition to the intellectual instruction which they receive, they are also taught trades, which will enable them to support themselves. It is unnecessary for me to add any words of commendation of the asylums for the insane, the deaf and dumb and the blind. Their successful management for a long series of years has firmly established them in the public favor and confidence.

The report of the Commissioners of Emigration, shows that the number of alien passengers who arrived at New-York during the year 1852, was 300,992. The number who arrived from the 1st January to the 1st of December, 1853, was 266,962.

The arrivals during the month of December last, will probably swell the number for the year to about 300,000. Of the immigrants who arrived here last year, 118,611 were from Germany, 118,131 from Ireland.

The last Legislature added 50 cents to the commutation fees for each passenger. This has enabled the Commissioners to pay to the various counties in the State the balances remaining due to them on the 1st of January last, amounting in the aggregate to \$55,000; also to reimburse to them the amount of their bills rendered to the 1st of November, 1853, making the total payments to the counties last year about \$140,000.

There has been a fearful loss of life by the cholera on board of a number of the emigrant ships which have arrived in the port of New-York within the last three months. While we are unable to account for the causes of this mysterious pestilence, there is no doubt that its ravages are increased by the want of proper ventilation and cleanliness. Many of these ships bring over from Europe on each passage more than 1,000 persons. Every consideration of humanity demands that some measures should be adopted for the preservation of the lives of those who are subjected to the sufferings incident to these crowded and pestilential ships. Not only are those who are seeking our shores swept away in appalling numbers, but there is reason to apprehend diseases will be introduced which will spread pestilence and death along the lines of our canals and railroads.

I earnestly invite your attention to this subject, and to the correction, as far as possible, of the abuses and wrongs which are practiced upon the vast multitudes of strangers who are thrown upon our shores under circumstances which expose them to the arts of the heartless, profligate and designing man.

The Western House of Refuge for Juvenile Delinquents contains at this time 207 inmates, although it is designed to accommodate only 200. During the past year 102 have been received and 60 have been indentured as apprentices or otherwise provided for. This institution will need additional pecuniary aid to enable it to provide for the increased number of commitments. It is also important that its managers should be able to classify the inmates

and separate the more youthful and less vicious from hardened offenders.

About 400 youthful criminals of both sexes have been admitted into the House of Refuge in the city of New-York, and about the same number have been indentured. The number received since its establishment, now reaches 6,000, the greater part of whom have been rescued by its instrumentality from lives of misery, degradation and crime. When the new buildings on Randall's Island are completed they will accommodate 1,000 children.

The Western House of Refuge is under the charge of managers appointed by the Governor and Senate; that in the city of New-York is under the management of the society for the reformation of juvenile delinquents. Both of them are controlled by and receive the care of enlightened and philanthropic men, who fully appreciate the importance of rescuing youthful offenders, and of making them virtuous and useful citizens. The results of their labors are of great interest and importance. The histories of those who have been restrained, educated and aided by them afford eloquent and touching testimonials to their value. Every consideration of benevolence, as well as a due regard for the safety of society demand that they should be liberally sustained. The high character of the managers, and the motives which have induced them to assume the duties of their positions give ample assurance that any assistance you may give to these establishments will be applied with wisdom, economy and fidelity.

The number of convicts confined in our State prisons are :

At Sing-Sing,	913
Clinton,	191
Auburn,	756

Total, 1860

Of these convicts 101 are females.

Statements showing the financial condition of the prisons are contained in the reports which will be submitted to you during the session of the Legislature. I am advised that a contract has been made for the employment of the laborers in the Clinton prison, which is advantageous to the State, and will lessen the expense of maintaining that establishment. The receipts for the labor of the convicts at the Auburn prison, will be diminished in consequence of the sickness of many of them with the small pox. This disease is now entirely eradicated.

It is a matter of surprise that the discipline of our prisons is so well maintained and their affairs so successfully conducted under our present defective system. The management of these institutions demands mental and moral qualities of the highest order. And these are inadequate without the advantages of long experience in the performance of the complicated and difficult duties of controlling depraved men—of maintaining discipline and order without undue severity—and of elevating them to the con-

dition of useful and respectable members of society. It is impossible that the requisite experience can be obtained under our present system, which affords an insufficient compensation to the officers, and renders the tenure of their places dependent upon political changes. While it is true, that under our form of government official stations should ordinarily be held by those who reflect the sentiments of the people with regard to the measures and policy of government, our charitable institutions, and those designed for the punishment of crime, should be placed beyond the reach of political influences.

Fortunately, our public establishments for the relief of bodily or mental infirmities, and for the reformation of juvenile delinquents, have by common consent been left under the charge and control of capable and philanthropic individuals, without respect to their political sentiments. Their successful management and the liberal support which have been accorded to them under the influence of public sentiment, have been just occasion for State pride. The same principles of freedom from party action which have rendered our asylums for the insane, the deaf, the blind and the idiotic, and our houses of refuge for juvenile offenders, so successful, should be applied to our prisons and penitentiaries. Humanity, justice and policy all dictate that our prisons which are designed to punish crime, to reform offenders, and to protect society from violence and outrage, should be rescued from the destructive influences of party spirit and partizan prejudices.

It appears from a report submitted to the last Assembly, by a legislative committee appointed in 1851, that the average length of time for which the wardens and agents have held their offices since 1834, does not exceed eighteen months, and that the State has had the benefit of less experience in the performance of the delicate, complicated and important duties of these stations, than is deemed necessary to the successful conduct of the most simple business pursuit of life. It is creditable to those who have had the management of the prisons, that they have been enabled to maintain discipline among the convicts, and to keep them profitably employed for the State.

I suggest the propriety of allowing to convicts as a reward for industry and good conduct, some portion of their earnings for the benefit of themselves or their families. This would be calculated to animate them with hope—to create habits of foresight and prudence, and by enabling them to assist their families, would cultivate the better instincts of their nature. It would also give them, at the expiration of their terms of imprisonment, some means of support, until they could overcome the difficulties of obtaining employment. In numerous instances, discharged convicts are led to the commission of crime by the poverty and want consequent upon the prejudices which exist against them. Humanity and policy alike dictate that every encouragement should be afforded to these unfortunate persons to retrieve their past errors.

The condition of the jails in this State should be made the subject of thorough investigation. Many of them are nurseries of crime. Criminals are crowded together without regard to age, character or the nature of their offences. Without employment and their minds occupied by topics of vice and crime, they are rendered mentally and morally depraved. This miserable system is not even commended by considerations of economy. The Albany Penitentiary which receives the convicts of a certain class, from a number of counties, is an object of interest to the philanthropist of other States and of other lands, for its thorough discipline, its perfect arrangements, and its skilful management. It is not only self-sustaining but it yields a revenue beyond its expenses. It is but necessary to contrast this institution with most of the jails of our State to show that benevolence, policy, and economy dictate a thorough reformation in their arrangements and management. The average term of confinement in the Albany Penitentiary is but three months. The inmates are of that inferior and degraded class who are committed for petty acts of vagrancy and crime. Their employment is confined to a simple and single branch of hand labor, and yet under skilful and experienced management they are made to support themselves, pay the salaries of the officers and attendants who control them, and the expenses incident to the maintenance of a commodious edifice and ample grounds.

The convictions for different offences during the past year will exceed 7,000. Of this number above 600 have been sentenced to our State prisons. It appears from an examination of convictions for a series of years, that the increase of crime does not vary from the proportional increase of our population.

I recommend a modification of our criminal laws which will give judicial tribunals more power than they now possess with regard to the terms of confinement in our prisons. The distinctions between different grades of crime can be preserved without compelling our courts to inflict sentences of great severity upon offences of a comparatively light and venial character, because technically they come within the statutory definition of certain offences. By our present laws our courts cannot sentence a criminal who is convicted of burglary in the first degree, or for highway robbery, for a term of imprisonment less than ten years, yet in many instances, these offences are committed under circumstances far less criminal than acts which are punished by two years confinement in our prisons or a shorter period in the county jails. The statutory provisions, which, in many instances compel the courts to inflict more severe punishments than they deem just, interfere with the certainty of the enforcement of the laws, and lead to numerous applications to the Executive for pardon. Experience has shown that to restrain crime reliance must be placed upon the certainty rather than upon the severity of punishment. The courts which try crim-

ials, are far more competent to determine upon the proper punishment to be inflicted than the Executive can be. If the sentences are controlled by the arbitrary provisions of the statute, the Governor can have no assurance that they are in accordance with the judgment of the courts which convict the criminals. I can see no danger in this modification of our criminal law, as the judges who hear all the testimony in the case are less liable to be misled than the Executive who hears only the petitions and arguments in behalf of the criminal. The exercise of the pardoning power, even in cases where it is demanded by considerations of justice, is always attended with great evils. As the reasons which induce the granting of pardons are not made known to the public, it creates the belief that the penalties of the law may be evaded through the intercession of friends or from considerations of sympathy. Although the number granted within the last ten years has not been as great in proportion to convictions as before that period, yet the number of applications and the difficulties of discharging this duty have greatly increased. The present cheapness and facility of communication, induce the friends of prisoners to make personal and repeated applications to the Executive, under circumstances both painful and embarrassing.

The enrolled militia of the State number about 300,000. The Constitution requires that the "militia of the State shall at all times hereafter be armed and disciplined and in readiness for service." It also makes ample provision for its organization and the appointment of necessary officers. The long period of peace enjoyed by our country, and our freedom from domestic disturbances, have led us to regard our militia system with too much indifference. Few are aware of the extent to which it protects our citizens in the enjoyment of their property and the security of their persons.

The Constitution of the United States declares that, "a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." An efficient military organization is of constant service in the preservation of good order. Although few instances occur where they are called upon to quell resistance to the laws, yet they serve at all times to overawe turbulent or disorderly members of society. In addition to the enrolled militia, many companies and regiments have been formed which are well uniformed and thoroughly disciplined. They number nearly 20,000 men, and without subjecting the State to any expense, they constitute an important part of its executive power. Composed of intelligent, active and respectable men, who have an interest in preserving the good order of society, they may be relied upon at all times to suppress tumults and to enforce obedience to the constituted authorities.

At the last session of the Legislature, a commission was appoint-

ed to reduce the militia laws to a system which would render them intelligible and more easily enforced. The report submitted by the commissioners was not adopted by the Legislature. I commend it to your favorable consideration, as important to produce a thorough and efficient organization of the militia, and to carry out the requirements of our State Constitution.

I am happy to state that great progress has been made in the adjustment of the difficulties in relation to manorial titles, which have agitated some sections of our State for many years. The legal rights of the landlords and tenants have to a great extent been determined by our judicial tribunals, and the principal obstacles to negotiation between the parties interested have been removed. They have common interests in settling these difficulties, and in relieving themselves from the pecuniary, social, and moral evils which have been inflicted on them and on the State at large by prolonged controversies. Since the questions respecting titles have been decided, in numerous instances the tenants have availed themselves of the abundance of money and the high prices commanded by the productions of the soil, to secure the full ownership of their lands upon favorable terms.

But few instances of resistance to legal process have recently occurred. An outrage having been committed in the county of Albany upon a citizen while in the discharge of an official duty, a resolution was adopted by the last Assembly requesting me to communicate to them "if any reward had been offered for the arrest of the offenders, or what measures had been taken for their apprehension, and whether in my judgment any further legislation was necessary to prevent the recurrence of such outrages, and for the better enforcement of the law."

Having advised the Assembly what measures had been taken to arrest the offenders, I stated my reasons for not offering any reward for their apprehension, and my opinion that no legislation was necessary to secure the better enforcement of the law when resistance is made to process. In many instances the offer of rewards for the apprehension of criminals, creates an impression in the minds of those required to execute process, that they are, in some degree, relieved from their duty, as it assumes that the ordinary means of enforcing the law are insufficient.

The statutes of the State confer upon the sheriffs of the several counties the most ample powers to discharge the duties imposed upon them. They are authorised, when they apprehend resistance will be made to the execution of process, to command every male inhabitant of their respective counties, or any military companies in such counties, to assist them in overcoming such resistance. And every person who shall refuse to assist is guilty of a misdemeanor, and is subject to fine and imprisonment. If the power of the county is not sufficient to enforce process, the Governor can order such military forces from other counties as shall be necessary. The statute also provides that "Whenever the

Governor shall be satisfied that the execution of civil or criminal process has been forcibly resisted in any county or counties of this State, by bodies of men, or that combinations to resist the execution of such process by force, exist in any such county or counties, and that the power of such county or counties has been exerted, and is not sufficient to enable the officer having such process to execute the same, he may, on the application of such officer or of the district attorney of such county, or one of the judges of the county courts thereof, by proclamation to be published in the State paper, and in such other papers as he shall direct, declare such county or counties to be in a state of insurrection; and may order into the service of the State such number and description of volunteer or uniform companies, or other militia of this State as he shall deem necessary, to serve for such term as he shall direct, and under the command of such officer or officers as he shall think proper."

The powers conferred by the statute upon the Governor and the sheriffs of counties, are so ample, that, in my judgment, a failure to enforce the law, in cases of resistance, justly subjects them to censure. The grant of extraordinary powers imposes extraordinary responsibilities, and nothing short of the exertion of every power vested in the sheriffs, can relieve them from censure, or prevent their removal from office. Neither will a formal compliance with the law be deemed sufficient. The efforts to preserve the public peace, and to bring offenders to justice, must be earnest, energetic and persevering. The Constitution of New-York, requires "that the Governor of the State shall take care that the laws are faithfully executed." This duty I shall rigidly perform, particularly where the rights of persons and property are endangered by violent or lawless proceedings.

It is due to the sheriff of the county of Albany to say, that in the case referred to, his duty was performed vigorously and successfully, and the alleged offender was arrested.

The number of banks and banking associations in the State of New-York is 324. There were 48 new institutions established last year, and 82 since December, 1851, showing an increase of one-third within two years. The additional capital created last year, was \$14,484,859, swelling the sum invested in banking to \$76,692,075. This extraordinary increase is far beyond the proportionate growth of the business of our country, and it occurs at a time when the importations of gold from California, and other sources, meet a portion of the demand for a circulating medium. A great number of new banks have recently been created in the different states of the Union. This extraordinary expansion of our currency, indicates a highly speculative condition of financial affairs, which, unless checked in due season, will terminate in disastrous revolutions.

I deemed it my duty to return to the last Legislature, with my objections to its becoming a law, a bill which proposed to admit

the stock of cities under certain restrictions, to be received by the Superintendent of the Banking Department, as securities for the redemption of bills for circulation.

The Constitution of New-York makes it the duty of the Legislature to restrict the power of municipal corporations to borrow money, contract debts and loan their credit. If this bill should become a law, it would cause a demand for the stocks of our cities, add largely to their value in market, and create an inducement on the part of municipal corporations to incur debts, and is therefore clearly in conflict with the purposes of the Constitution.

It is alleged in favor of allowing the debts of cities to be used as a basis for banking, that the stocks of this State and of the United States, cannot be obtained unless a large premium is paid for them. It is true these stocks command high prices in the money markets of the world, but they sell for no more than they are intrinsically worth. They can be obtained at their market value, and although they pay directly but small interest to the holders, the profits of banking at this time are so great that they more than compensate for any loss of interest on the securities pledged for the redemption of their notes. It is evident that these profits must be limited either by judicious restraints or by a multiplication of banks, which will endanger our whole financial system. No better or safer plan can be devised than that which requires the highest and best security for the bill-holders, and it is no argument in favor of cheaper securities that they will facilitate the establishment of new banks, and thus inflate the currency of the country. Although the increase of business makes more capital necessary in conducting it, a large proportion of the indebtedness to the banks at this time, and the great amount of bills in circulation, are the results of speculative rather than legitimate business demands.

The stocks of this State and of the general government have a value in the commercial markets of the world, and will therefore furnish a security for the redemption of the bills at periods when we suffer from financial revulsions; while the stocks of our cities, having only local values and markets, will be more affected by the monetary condition of the country. If our banking laws are modified to admit of the use of cheaper and inferior securities, they will of course be selected. I deem it exceedingly hazardous at this period of speculative excitement and pecuniary expansion, to diminish the security of the bill-holder, or to increase the motives for the establishment of banking institutions, which are already multiplying to an unprecedented extent.

If the Constitution of the State shall be amended for the purpose of borrowing money to be expended upon the canals, there will be an additional amount of State stocks issued, which can be used under our present laws, as a basis for banking. This will supply the demand for these securities, while the treasury of the

State will be benefited by the additional premium on the stocks, which the demand creates.

I recommend a modification of the usury laws in certain cases. They are designed to protect the improvident or unfortunate from the exactions of the grasping and sordid, and, in numerous instances, they serve a valuable purpose. But the severity of these laws is frequently injurious in our larger cities. The city of New-York is now the financial center of the United States, as it will ultimately become that of the commercial world. The legal restraints which compel the parties to resort to indirect measures in their monied transactions, are attended with great evils and embarrassments to commerce. It is believed our present usury laws may be modified in certain cases, without destroying the protection they are designed to afford against extortion and oppression.

Apprehensions have been expressed by those engaged in the commerce of the city of New-York, that the encroachments by piers, which have been made upon the harbor of that city, are calculated to create dangerous obstructions, to diminish its convenience, and to make it inaccessible to large vessels. The subject is one demanding your attention, as it affects not only the interests of that city, but of the entire State and country. The control of the harbor of New-York, and the title to its expanse, belong to this State and New-Jersey. It is the terminus of our great system of internal improvements, the point from which the productions of our country are sent to foreign or domestic markets. The people of the State are deeply interested in preserving its convenience and security, for the purpose of accommodating the commerce of our State and nation. I recommend the appointment of a proper commission, to be composed, of capable, scientific, and impartial men, to investigate this subject, and report to you the results of their examination.

In my annual message to the last Legislature, I called the attention of that body to the embarrassed state of our canal finances, and of our public works. At that time, there was estimated to be due to contractors, and for land damages, more than \$600,000. For a large share of this amount, drafts had been made upon the Auditor, and protested for want of funds. This was alike unjust to the public creditors, and disreputable to the State.

For the purpose of paying the debts due to the contractors, to prevent a suspension of labor on our unfinished canals, and to secure their completion, I urged the Legislature to provide for the payment of the protested drafts and for other pressing demands, and thus relieve the surplus revenues from the liens which these liabilities created upon them; I also advised appropriations for immediate improvements on the Erie canal, and the adoption of measures to secure the completion of our unfinished public works, by the establishment of a system, which would secure the application of at least \$1,000,000 annually, for

that purpose. I suggested that this sum could be secured either by taxation or by loan, or by an amendment to the Constitution.

The condition of our unfinished canals made it very important that immediate appropriations should be made for their benefit. The Genesee Valley and Black River canals, were nearly completed, and small expenditures would bring into use long lines of navigation.

I also expressed an apprehension that there would be a disastrous diversion of commerce from the Erie canal, unless improvements should be made in its channel, to facilitate the passage of boats, and enable those designed for the enlargement to be introduced, and supply the want of vessels occasioned by the decay and destruction of those heretofore in use.

On the 5th of April last, as no measures for the relief of our canals or the contractors, had been adopted by the Legislature, and as its session was drawing to a close, I sent a communication to the Senate and Assembly, calling their attention to the reports of the Canal Commissioners and the State Engineer, and urging that the immediate completion of the improvements which they recommended, was required by the interests and for the security of the commerce of the Erie and Oswego canals. I also advised appropriations for the Genesee Valley and Black River canals.

The Legislature having adjourned without enacting laws necessary for the preservation of the faith of the State, and essential to the public welfare, or making provision for the continuance or completion of our canals, I exercised the power entrusted to me by the Constitution, and convened them again on the day after their adjournment. I advised the continuance of the session for a few days "while important subjects of legislation were yet familiar to them, which would enable them to perfect measures demanded by the public good, and thus prevent great injury to the honor and interest of the State, and save the necessity of renewed examination and discussion at a future day."

Among other subjects, I again called their attention to the condition of our public works, and the embarrassment of their finances. I urged the importance of making immediate appropriations to secure essential improvements in the Erie and Oswego canals, as their commerce would be seriously obstructed, unless the improvements suggested in my annual message, and recommended by the Canal Commissioners and the State Engineer, in their reports to the Legislature, should be made at the earliest practicable period. These improvements would in no degree conflict with their proposed enlargement; on the contrary, they would hasten that result by increasing our domestic commerce, cheapening transportation, and augmenting our revenues.

I also urged the great injustice which would be done to the citizens living along the unfinished portions of the Genesee Valley and Black River canals, unless immediate appropriations should be made toward their completion. And I commended to

their favorable consideration, an amendment to the Constitution, reported in the Assembly, which would enable the Legislature to borrow annually, for six successive years, a sum, which, with the surplus revenues, would amount to \$1,500,000.

Prolonged discussions were had upon these subjects. A bill was ultimately passed increasing the State tax three-fourths of a mill on each dollar, and applying \$621,467.47 to the payment of protested drafts for the amount due to contractors and for land damages. The sum of \$650,000 was appropriated to the work on the Erie canal enlargement, the Black River, Genesee Valley, Cayuga and Seneca, Champlain and Crooked Lake canals. The conflicting views between the two branches of the Legislature were harmonized by a committee of conference, and an amendment to the Constitution was passed, which requires the Legislature to appropriate annually for four years, a sum not exceeding \$2,250,000, for the enlargement of the Erie, Oswego, Cayuga and Seneca, and the completion of the Black River and Genesee Valley canals, and for the enlargement of the locks on the Champlain canal.

If this amendment is adopted, the faith of the State will be pledged for the payment of any debt created under it; the stock will therefore command a premium of about twenty per cent. more than was obtained for the canal revenue certificates issued under the law of 1851, or than can be obtained for stocks predicated solely upon the surplus revenues. It is also provided that the contracts for work and materials shall be made with those who shall offer to do or provide the same at the lowest price, with adequate security for their performance.

As the proposed amendment was agreed to with remarkable unanimity by the members of the last Legislature, representing all portions of our State, and as a measure of compromise between conflicting views and sentiments, I recommend its adoption by you, and its submission at an early period. If this is done and the people approve of the amendment, the Legislature can, at its present session, pass the laws necessary to carry out its requirements. The condition of our canals renders it exceedingly important that a fixed and definite policy be at once adopted with regard to them.

I also earnestly recommend the measures for the temporary improvement of the Erie and Oswego canals which I urged upon the attention of the last Legislature. They can be made before the opening of navigation next spring. They will cheapen transportation, facilitate the passage of boats now in use, and induce the construction of new ones of the enlarged size, and thus prevent the continuance of the diversion of commerce from our canals which was pointed out by the Commissioners in their last annual report to the Legislature. This diversion of commerce is doubly disastrous. It strengthens rival and competing routes, while it diminishes the revenues

applicable to the completion of our public works. It increases the liability of a resort to direct taxation to pay our present indebtedness or that which may hereafter be created. It is of great importance to save the revenues from the injury which would be inflicted upon them by an insufficiency of boats to transport our domestic commerce. It appears from the report of the State Engineer that only about \$500,000 is required to secure the advantages of a great increase in the capacity of our canals, and to avert the evils with which we are threatened unless these improvements are made. Of this amount, \$200,000 would be so applied as to advance the completion of the enlargement. The balance of \$300,000, which would be temporarily applied, would be less than one year's interest on the debt which it is proposed to create, while its application would add at least one half to the capacity of the Erie and Oswego canals.

It appears from investigation that the number and tonnage of boats navigating our canals were less last year than in 1848. This alarming result demonstrates the necessity for adopting immediate measures to admit of the new and enlarged vessels. Otherwise the cost of transportation will be increased and business diverted into other channels.

The Canal Commissioners in their last annual report state that "The trade during the past season has been seriously embarrassed for the want of breadth in the canal at many points to allow the largest of the old class of boats to pass each other loaded, and without the improvements, if the enlarged boats are brought into use, it is certain that these embarrassments will be multiplied."

"This work can be done at a moderate cost, so as to allow the enlarged boats, not drawing more than three and a half feet of water, to pass each other."

"The State has suffered largely in her revenues for the last three or four years, from the uncertainty existing as to the future condition of the canals; and as a direct consequence, the aggregate tonnage of the boats has been inadequate to do the business offered for transportation. For the want of means to do the business promptly, freights have advanced for the last two years, in the face of a reduction of tolls, and a large trade of many hundred thousand tons has thus been forced into other channels."

"Boats of the old size have not been built in sufficient numbers to meet the wants of the trade, because of the public expectation that the canal would soon have capacity for larger boats, rendering those of the old size comparatively useless."

The necessity for an improvement in the channels of the Erie and Oswego canals, is made more urgent by the fact that during the last summer a line of enlarged locks between Buffalo and Albany was brought into use, and the new locks on the Oswego canal will soon be completed. Boats of the enlarged size have already passed through the canal from Buffalo, carrying 130 tons,

and a great number of this class of vessels will be built in the course of the year. If they are placed on the canal in its present condition, they will injuriously obstruct its commerce. It was proposed in the first instance merely to lengthen the remaining old locks upon the Erie canal, so that they would admit of the passage of boats twenty-eight feet longer than those now in use. My predecessor in his message to the Legislature in 1851, states that "the lengthening of the locks rendered a corresponding enlargement of the sections more necessary than before." These locks have not only been lengthened, as was contemplated at that time, but they have also been widened, and unless the channel is improved at once, the enlarged boats will not be able to pass each other on most parts of the canal. The loss to the revenues, which will be occasioned by the detention of boats and the diversion of commerce, will exceed in a single year the expenses of making the required improvements.

I also recommended appropriations to complete the Black River and Genesee Valley canals. Only a small amount is required for the purpose, and I feel that it is due to the citizens interested in these works, that they should immediately be brought into complete use. The appropriations made to remove obstructions from the channel of some of the rivers in the northern part of the State, have increased the commerce of the canals, and have proved beneficial in other respects. I commend this class of improvements to your favorable consideration.

The opinion is entertained by many that the commerce between the western and the Atlantic States is so vast, and that the capacity of the enlarged canal when completed will be so great, that it is unimportant how much is expended upon it. This mistaken impression is calculated to do great mischief. The commerce of the western States is indeed of immense value and extent, and it is difficult to estimate its increase when the population of the valley of the Mississippi shall be doubled. No one can be more deeply impressed than I am with the importance of this carrying trade to the State of New-York. It is one of the great sources of our prosperity. It creates the business and wealth of our commercial emporium, and makes it the centre of the financial transactions of the United States.

I believe the great natural advantages of New-York, arising from its geographical position, and its control of the natural avenues of trade between the valley of the Mississippi and the east, have not heretofore been appreciated. Neither do I undervalue the enlargement nor the advantage it will afford to commerce. The honor and the interest of the State of New-York require its completion and that of the other public works. But it must not be supposed that in their management the principles of economy can be violated with impunity. Any system of favoritism toward individuals or localities, any neglect to secure loans upon the most favorable terms, and to expend money in the most

judicious manner will be attended by calamitous results. The canals belonging to the State of New-York, no longer monopolize our internal commerce. Hereafter they must compete not only with rival routs in other States, and that through Lake Ontario and the St Lawrence, but also with the enterprise, energy and skill of its own citizens.

The reports of the railroad companies will show an immense increase of their receipts for the transportation of freight. Many entertain the opinion that they will in a few years, to a great extent, divert commerce from the canals. I do not concur in these views; but if they should prove to be true, the canals would be of great value in controlling the rates of transportation. While they are in good order, and under judicious management, combinations cannot be successfully formed to the detriment of the public interest.

Our public works require constant watchfulness against unnecessary expense of construction and management. Every dollar unwisely expended, creates an injurious tax upon their commerce. While moderate expenditures, judiciously applied, will finish our system of internal navigation, unless rigid economy is exercised on the long lines of our unfinished canals, the amount proposed to be raised by the amendment to the Constitution, will be expended without effecting their completion, leaving them encumbered with an increased debt, and heavier charges upon them for interest and sinking fund accounts.

The history of our canals prior to 1835, and since that period, shows how much can be accomplished by an economical and judicious application of moderate sums of money, and how little is effected by profuse expenditures.

Before the year 1835, the State of New-York made 656 miles internal navigation, connecting the Hudson river with the Erie, Ontario, Cayuga, Seneca and Crooked lakes, at a cost of only \$11,652,652.96. The Erie canal connecting the Hudson river with the great lakes, cost \$7,143,789.86. The successful completion of the public works in 1835, and the extinguishment of the debt created for their construction was a just cause for congratulation. None of the works commenced since that time have been finished, although more than \$26,000,000 have been expended upon them. These facts show that the efficiency of appropriations depends less upon their amount, than upon the wisdom, economy and fidelity with which they are applied.

When in 1835, the State officers advised the enlargement of the Erie canal, they stated that the "net proceeds of the tolls for 1835, 1836, and 1837, would probably be sufficient to pay the balance of the debt, and meet the disbursements on the contracts for doubling the locks;" and "after that period the net proceeds of tolls would be sufficient to meet the disbursements necessary for improving and enlarging the canal, without having recourse to new loans for that purpose." If their policy had been ad-

hered to, our canals would now be completed. Beyond keeping them in repair, since the old debt was paid, there has been received for tolls, about \$32,000,000, the whole of which might have been applied to our public works, if we had borrowed no money. This amount would not only have completed them but they would have been saved from any suspension, for the State would have been beyond the reach of financial revulsions, while it expended only its ample surplus revenues. Their disbursements, in periods of pecuniary distress, would have relieved our citizens by giving employment to labor, and our State would have been saved from the discredit of borrowing money in competition with its own citizens; of delaying payments to its contractors, or compelling them to take at par its stocks, when they were selling in market at a discount of 10 or 15 per cent.

In contrast with the condition which our canals and their finances would have shown if we had adhered to the views of the State officers in 1835, we find that no public work commenced since that time has been finished, and our canal debt now amounts to \$17,000,000.

The surplus revenues of our canals, devoted by the Constitution to their completion, were reduced, for the fiscal year ending September 30, 1852, to \$280,000, and for the fiscal year ending September 30, 1853, to \$220,000. In one year from the 1st of June next, the Constitution requires that the additional sum of \$400,000 from the revenues, shall be applied for the extinguishment of the existing debt. Unless there shall be a large increase in the revenues, or the expense of keeping the canals in repair shall be materially lessened, there will be no money applicable to them, or in case the proposed amendment to the Constitution is adopted to the payment of interest on the new debt.

If the law of 1851 had not been declared unconstitutional, it would have failed in its object. The loans to be made under it were predicated solely upon the surplus revenues of the canals. The revenue certificates, which were sold to the amount of \$1,500,000, produced in market less than one per cent above par, while the stocks of the State, bearing the same interest and payable about the same time, were selling at a premium of 16 per cent. In that year the surplus revenues of the canals amounted to \$900,000. They have since fallen to \$200,000, and in a little more than a year from this time the constitutional provisions will absorb this surplus, and \$200,000 annually in addition.

The failure to dispose of the revenue certificates, would have rendered it necessary to suspend the works under that law, and our canals would have been burdened with an increase of indebtedness, without affording any additional facilities to navigation. The proposed amendment to the Constitution, guards against any failure to borrow the amounts needed, as the bonds will be based upon the credit of the State, and even should the surplus revenues be insufficient, the holders will be assured of the prompt

payment of their interest, and the ultimate payment of the principal. If the stocks of the State continue to bear the premiums which they now command in market, the saving by having them based upon the public security, instead of limiting them solely to the surplus revenues, will amount to about \$2,000,000.

The condition of our canals, at this time, demands expenditures upon them beyond the amount of their surplus revenues. If the improvement which I have suggested, shall be made at once, and any further diversion of their business prevented—and if the money which shall be applied to their completion shall be judiciously expended, and stringent measures are adopted to diminish the expense of keeping them in repair, their net revenues may be so far increased as to prevent the necessity for any resort to taxation on account of our present indebtedness, or that which we may create for the benefit of our unfinished public works.

The last Legislature adopted efficient measures to relieve the General Fund from its embarrassments, and to increase its resources and revenues. In the fiscal year ending September 30, 1852, the income of this fund was \$188,343.53 less than the charges upon it. The deficiency for the fiscal year ending September 30, 1853, was \$230,869.43, making an aggregate indebtedness at that date of \$419,216.96. To pay this indebtedness, and to relieve the public creditors who held demands against the treasury for work on the canals, the State tax was increased from one-quarter of a mill to one mill on the dollar for the fiscal year ending September 30, 1854, and to three-quarters of a mill for the year ending September 30, 1855, and to one-half mill for each year thereafter. Of the proceeds of the mill tax, \$140,000 is appropriated to the payment of the contracts under the canal law of 1851, which was decided to be unconstitutional. \$466,467.47 is appropriated to the payment of drafts drawn upon the Auditor and protested for want of funds, and for other debts, making a total of \$606,467.47 which will be paid by taxation this year for canal purposes.

The Constitution forbids the creation of any State debt, except in certain specified cases, yet it appears that a debt for canal and General Fund purposes has been incurred, amounting to more than a million of dollars, in direct conflict with this provision. To relieve the contractors and other public creditors, and to save the State from discredit, the last Legislature was compelled to impose a heavy tax upon the people. To prevent the unconstitutional creation of debts hereafter, I recommend a law prohibiting any public officer from continuing expenditures or drawing drafts when appropriations have been exhausted, or where there are no funds applicable to their payment.

The law designed to pay the debts above mentioned, also increases permanently the State tax imposed for the benefit of the General Fund revenues from one-quarter to one-half mill on the

dollar. This will make the amount of the annual tax paid for the support of the government about \$600,000. This sum, with other revenues, will be ample for that purpose, if judicious economy is used, unless the annual contribution of \$200,000 from the canal resources is withdrawn under the operation of the proposed amendment to the Constitution. If this should be done, it will be necessary to supply the deficiency by further taxation. I refer you to the Comptroller's report for valuable suggestions respecting the finances of our government.

The last Legislature, with entire unanimity, adopted resolutions proposing an amendment to the Constitution, providing additional guards against bribery at elections. Its purpose will effectually commend it to your favorable consideration. It should be submitted to the action of the people at the same time with the proposed amendment in relation to the canals.

During the past year intemperance has been a prominent topic of public discussion and interest. It is justly regarded as a fruitful source of misery, destitution and crime, and its effects are forced in a painful manner upon the attention of those who are required to execute the laws. Our present statutes with respect to licenses have not been strictly enforced in our large commercial towns and cities. It is difficult to say if this is owing to the defects and insufficiency of the system, or to the nature of the subject. Various statutes have at different times been passed in this State to limit and regulate the sale of intoxicating liquors; but heretofore the restraints of education, morality and religion, and the efforts of philanthropic individuals and associations, have been more effective than legislative enactments to check intemperance. Its evils have been aggravated by the practice which has greatly increased within a few years, of using deleterious drugs in the manufacture of intoxicating liquors, which has been productive of most pernicious effects upon the mental and physical condition of those who use them. The whole subject will doubtless engage your attention. It is surrounded with difficulties and embarrassments, and unless the legislation in regard to it is judicious, it will increase the evil which it is so important to prevent. Any measures which you may adopt should be framed so as not to conflict with well settled principles of legislation, or with the rights of our citizens.

I renew the recommendations contained in my last annual message in relation to the code of procedure.

Those who formed the National Constitution, felt that a consolidated government could not successfully legislate for a great number of communities, living under varied conditions, occupying regions with different climates, soils and productions, and each requiring for itself a vast amount of local and peculiar legislation. It was the design therefore of the Convention which framed that instrument, to combine sovereign States in a manner which should present compact and united strength against foreign

invasion, and to give them a position of dignity and influence in their transactions with other nations, without interfering, except in specified cases, with the powers of the State governments in respect to the general objects and most important purposes of legislation. So happily was our Constitution conceived, that the fears entertained at the period of its adoption, that it could not be maintained against conflicting local interests have proved entirely groundless.

Although the number of States has increased from thirteen to thirty-one, and we have in addition, vast territories, some of which are yet unorganized and unpeopled, there is no reason to apprehend, if the principles of our national Constitution are maintained in their strictness and purity, that the time will ever come when it will be overthrown, or cease to be desirable and advantageous.

From the period of the foundation of our government, conflicting views with respect to the powers which it can rightfully exercise, have divided our citizens into two great political parties, and most of the questions which have agitated the public mind have had their origin in differences of opinion with regard to the measures it can constitutionally adopt. Radical differences of construction have been manifested in discussions with respect to alien and sedition laws; protective tariffs; the establishment of banks; extravagant systems of internal improvement, and in agitations designed to induce Congress to interfere with the peculiar affairs of the people of the different States.

The powers and duties of our government will always be subjects of deep interest; and they will continue to excite discussions and to create party divisions and organizations. Heretofore the views of those who contend for a strict construction of the Constitution and a maintenance of the rights of the states, have usually prevailed. Under their policy our country has continued to increase in power, greatness and prosperity. Its jurisdiction reaches from the Atlantic to the Pacific, and its territories have become equal in extent to the continent of Europe. While this policy has received the marked approbation of our people, those who concede their correctness do not always admit their application to particular measures. At different periods personal interests have induced many to sacrifice the restraints of a strict construction of the national compact. But the evils which have resulted from such deviations from constitutional principles, have soon demonstrated their pernicious tendency.

It is obvious that the agitation with respect to slavery in the States; the measures for advancing personal interests under the cover of protective tariffs; for profuse expenditures for internal improvements; for the support by the public treasury of different schemes to promote private wealth and interest, have a common origin in mistaken views of constitutional law. These erroneous views are sometimes held by those apparently occupying antago-

nistic positions, yet, their projects being based upon similar constructions of the national compact, their respective supporters are ultimately led into harmonious action, however conflicting their purposes may at first appear. If the general government has the right to incorporate banks, or to carry on extensive systems of internal improvement, it will be difficult to resist the argument that it has a right to interfere with local interest in other respects.

It is of vital importance that clear and correct views of the Constitution and of the rights of the States, should exist in the minds of our people. It should be understood that interference with the local affairs of the different States, is not to be avoided from motives of expediency, but from the higher and stronger considerations of constitutional limitations, restrictions and obligations. The dignity and sovereignty of the several states will best be secured where their rights are clearly appreciated and fully recognised, where they rely upon the national compact, and not upon forbearance from improper assaults, nor upon the intrusive guardianship of those who have nothing to do with their local institutions. Their rights should be defended by the barriers of the Constitution, and not by the assumed protection of individuals who are engaged in the passing excitements or the speculative projects of the day.

All measures of government which are calculated to harmonise conflicting interests and calm excitements, should be firmly sustained, and our citizens should be invoked to cherish fraternal feelings among the people of the different states of the Union. But these considerations should not be substituted in the place of constitutional rights or solely relied upon to the exclusion of the constitutional compact, to preserve and perpetuate our political institutions.

The chief magistrate of our Union, in his late message to Congress, has avowed his approval of the distinctive doctrines which were entertained and expressed by Presidents Jefferson and Jackson in their communications to Congress. Whatever conflicts of opinion may have existed heretofore with respect to particular questions which have excited the public mind, and which may for a time have obscured in the apprehension of some, true views of our national compact, all who concur in the purpose of maintaining the provisions of that instrument and preserving the purity of our congressional legislation, will sustain and uphold the views which he has expressed and the policy which he has marked out. By doing so they will not only put an end to all sectional agitations under whatever pretexts commenced or continued, but also to the practice becoming so common of resorting to the national capital with designs of perverting its legislation to purposes of pecuniary gain. It will then cease to be true that the humble claim for redress for conceded wrongs is often overlooked, while equivocal measures, making large drafts upon the revenues of the people, are sustained and carried through by the

influence of the very funds which they draw from the public treasury.

At this time the people would approve of a law granting the public lands to actual settlers. Necessary improvements can best be promoted in our new states by giving them a population which will cultivate their soil and increase their resources, rather than by bestowing the national domain in large quantities upon a few individuals engaged in speculative schemes who will hold them from occupation until they can command the highest prices. A distribution of these lands to actual settlers will be a humane measure, affording homes to the destitute, employment to labor, and creating wealth by increasing the productions of the soil. Improvements constructed by individual enterprise, and managed with economy and skill, will follow upon the path of the hardy settler, while our government will be saved from the evils which threaten it from the corruption of legislation and from the exercise of unconstitutional powers.

New-York has an historical interest in a faithful and rigid compliance with the restrictions of power contained in the Constitution of the United States and in its amendments.

There were those in the convention which formed that instrument, who wished to create a consolidated government and annihilate local legislatures, and others who sought to give a preponderating influence to the larger states, by inequalities of representation founded upon wealth and population. Although, at that day, its ample territory, its fertile soil, and its commanding position, gave assurance of future wealth, population, and greatness, the delegates from New-York strenuously opposed these schemes, and asserted the equality of the local governments and their rights of sovereignty. A majority of its delegates withdrew from the convention when the principles of equality were impaired. It adopted the Constitution reluctantly, because its language admitted of constructions dangerous to the rights of the states, and its assent was accompanied by a resolution "that the Constitution be ratified in full confidence that the amendments proposed by this convention will be adopted."

The amendments which this State was chiefly instrumental in procuring, secure the free exercise of religion, freedom of speech, and the right of the people to bear arms and to petition for redress of grievances. They shield the persons and property of our citizens against unreasonable searches and seizures by regulating criminal proceedings, and preserving the right of trial by jury. To prevent misconstruction and abuse of power, our State demanded the amendments which declare that "the enumeration of certain rights shall not be construed to deny or disparage others retained by the people," and that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively." These articles constitute the great barriers against the encroachments of the

general government, and the principal defences to the rights and sovereignty of the States, and the liberties of our citizens. The great principles which New-York asserted at the period of the adoption of the Constitution in behalf of the several states, and of the rights of the people, it will continue to maintain and defend.

The past history of our State and Nation admonish us that their prosperity and progress are best promoted by rigid economy in the management of their affairs, and by strict compliance with the requirements of their respective constitutions.

I shall cordially co-operate with you in every measure calculated to advance the interests or welfare of the people of this State.

HORATIO SEYMOUR.

Albany, January 3, 1854.

Mr. Lozier offered for the consideration of the House, a joint resolution in the words following, to wit:

Resolved, (if the Senate concur,) That ten thousand extra copies of the Governor's message be printed for the use of the members of this House, and three hundred and fifty for the use of his excellency the Governor.

Mr. Speaker put the question on agreeing to the said resolution, and it was determined in the affirmative.

Mr. Lozier moved that the said message be referred to a committee of the whole House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

On motion of Mr. Peters,

Resolved, That all extra copies of the documents published by order of this House, be trimmed and bound in paper covers in the same manner as they have been for the several departments.

Mr. D. P. Wood offered for the consideration of the House the following preamble and resolution:

Whereas, the following amendment to the Constitution of this State, was at the last session of the Legislature proposed in the Assembly, viz:

Substitute for section three of article seven, the following:

After paying the said expenses of collection, superintendence and repairs of the canals, and the sums appropriated by the first and second sections of this article, there shall be appropriated and set apart in each fiscal year out of the surplus revenues of the canals, as a sinking fund, a sum sufficient to pay the interest as it falls due, and extinguish the principal within eighteen years of any loan made under this section, and if the said sinking fund shall not be sufficient to redeem any part of the principal at the stipulated times of payment, or to pay any part of the interest of such loans as stipulated, the means to satisfy any such deficiency shall be procured on the credit of the said sinking fund. After com-

plying with the foregoing provisions, there shall be paid annually out of said revenues into the treasury of the State two hundred thousand dollars, to defray the necessary expenses of government. The remainder shall, in each fiscal year, be applied to meet appropriations for the enlargement and completion of the canals mentioned in this section, until the said canals shall be completed. In each fiscal year thereafter the remainder shall be disposed of in such manner as the Legislature may direct, but shall at no time be anticipated or pledged for more than one year in advance. The Legislature shall annually, during the next four years, appropriate to the enlargement of the Erie, the Oswego, the Cayuga and Seneca canals, and to the completion of the Black River and Genesee Valley canals, and for the enlargement of the locks of the Champlain canal, whenever from dilapidation or decay it shall be necessary to rebuild them, a sum not exceeding two millions two hundred and fifty thousand dollars. The remainder of the revenues of the canals for the current fiscal year in which such appropriation is made, shall be applied to meet such appropriation; and if the same shall be deemed insufficient, the Legislature shall at the same session provide for the deficiency by loan. The Legislature shall also borrow one million and five hundred thousand dollars to refund to the holders of the canal revenue certificates issued under the provisions of chapter four hundred and eighty-five of the laws of the year one thousand eight hundred and fifty-one, the amount received into the treasury thereon. But no interest to accrue after July 1st, one thousand eight hundred and fifty-five, shall be paid on such certificates. The provisions of section twelve of this article requiring every law for borrowing money to be submitted to the people, shall not apply to the loans authorised by this section. No part of the revenues of the canals or of the funds borrowed under this section, shall be paid or applied upon or in consequence of any alleged contract made under chapter four hundred and eighty-five of the laws of the year one thousand eight hundred and fifty-one, except to pay for work done or materials furnished prior to the first day of June, one thousand eight hundred and fifty-two. The rates of toll on persons and property transported on the canals shall not be reduced below those for the year one thousand eight hundred and fifty-two, except by the canal board, with the concurrence of the Legislature. All contracts for work or materials on any canal, shall be made with the person who shall offer to do or provide the same at the lowest price, with adequate security for their performance.

And whereas, the said proposed amendment was then agreed to by a majority of the members elected to each of the two Houses, and entered on the journals, with the yeas and nays taken thereon, and referred to the present Legislature then next to be chosen.

And whereas, the said proposed amendment has been duly published three months previous to the time of making such choice:

shall not be reduced below those for the year one thousand hundred and fifty-two, except by the canal board, with the concurrence of the Legislature. All contracts for work or material on any canal, shall be made with the person who shall offer or provide the same at the lowest price, with adequate security for their performance.

And, whereas, The said proposed amendment was then adopted by a majority of the members elected to each of the two Houses and entered on the journals with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election of Senators then ensuing;

And, whereas, The said proposed amendment has been published for three months previous to making such choice pursuant to the provisions of the first section of the third article of the constitution:

Resolved, (if the Assembly concur,) That the Senate do assent to the said proposed amendment.

Mr. D. P. Wood moved a suspension of the rules so that a final vote on said resolution could be immediately taken.

Mr. Speaker put the question whether the House would assent to the said motion of Mr. D. P. Wood, and it was determined in the affirmative, three-fourths voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative, as follows, to wit:

{ AYES 124 }
{ NOES 01 }

Those who voted in the affirmative are,

Adams	Cook	Hinckley	L. Miller	Sill
Angel	Collins	Holdridge	Mitchell	Smalley
Aiken	Conklin	Hollenbeck	Monfort	Speaker
Bailey	Cost	Howell	Morris	Stephens
Baker	Crocheron	Heyle	Munroe	Sterling
Backus	Cumming	Hull	Neilson	Suffern
B. J. Baldwin	Cushman	Mat. Hutchinson	Noble	Thompson
S. Baldwin	Dawson	Mos. Hutchinson	Odell	Thorn
Barrow	Dewey	Jenkins	Palmer	Townsend
Barton	A. A. Dunlop	Joy	Payne	Underwood
Baucus	R. Dunlap	Kinney	Peters	Ward
Bennett	Edwards	Kirkland	Preston	Ware
Benedict	Ferguson	Lee	Randall	Wart
Boers	Fiero	Legg	Richards	Weed
Berges	Freeman	Leigh	Richardson	Whipple
Boardman	Germain	Littlefield	Robertson	White
Bestwick	Gibbs	Littlejohn	Rose	Waltman
Boyd	Gleason	Lozier	Rowland	Wilson
Brat	Gorham	Martin	Savage	Wilder
Burgess	Gott	Mather	Scott	Willis
Burnett	Graham	May	Searing	Williams
Case	Hall	McGraw	Sesalons	Winne
Chesbro	Harpur	McMurray	Seeley	D. P. Wood
Clark	Harris	Mills	Sharp	J. S. Wood
Clinton	Hatch	G. Miller	Sheeley	

Those who voted in the negative are,

A. F. Miller

Mr. Ward gave notice that he would at an early day ask leave to introduce a bill in relation to the police of the city of New-York.

Mr. Peters gave notice that he would at an early day ask leave to introduce a bill in regard to estrays.

Mr. R. J. Baldwin gave notice that he would at an early day ask leave to introduce a bill to repeal section 7 of chapter 530 of the Laws of 1853.

Mr. Clinton gave notice that he would at an early day ask leave to introduce a bill to provide for the incorporation of companies formed to navigate the lakes, rivers and canals of the State of New-York.

Mr. Hall gave notice that he would at some future day introduce a bill declaring Oswegatchie river a public highway, and for the improvement of said river.

Mr. Aitken gave notice that he would at some future day ask leave to introduce a bill entitled "an act making the office of the chief of police in the city of New-York, an elective office."

Mr. Hoyle gave notice that he would at an early day introduce a bill for an extension of time for the construction of the Northern railroad.

Mr. Crocheron gave notice that he would at some future day ask leave to introduce a bill to abolish the office of resident physician of the Marine Hospital on Staten Island.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill to establish a criminal code of procedure.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill to establish a civil code of procedure.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill amending the charter of the city of Utica.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill amending the charter of the Globe insurance company of the city of Utica.

Mr. Ware gave notice that he would at an early day ask leave to introduce a bill amending the charter of the city of New-York, so as to make the office of chief of police elective by the people.

Mr. Burgess gave notice that he would, at some future day ask leave to introduce a bill providing for the better security of trust funds in the hands of surrogates.

Mr. Backus gave notice that he would at an early day ask leave to introduce a bill amending the charter of the fire department of Brooklyn.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill making an appropriation to the Seneca orphan asylum of this State.

Mr. Savage gave notice that he would at an early day ask leave to introduce a bill to divide the 6th judicial district of the city of New-York.

Mr. Clarke gave notice that he would at an early day ask leave to introduce a bill to amend the mechanics' lien law, for the city of New-York.

Mr. Ward moved the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

Mr. Benedict offered for the consideration of the House, a concurrent resolution, in the words following, to wit:

Resolved, (If the Senate concur,) That sec. two of art. two of the Constitution of this State be amended by inserting therein immediately after the word election where it first occurs in said section, as follows: "or who shall pay, give, or receive, or promise to pay or give any money or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector from voting." Also by adding at the end of said section as follows: "or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls any question affecting the right of any person to vote thereat," so that said section two, as amended, shall read as follows: "Laws may be passed excluding from the right of suffrage, all persons who have or may be convicted of bribery, or larceny, or of any infamous crime, and for depriving every person, who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election, or who shall pay, give or receive, or promise to pay or give money, or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector from voting, from the right to vote at such election, or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls, any question affecting the right of any person to vote at such election."

Ordered, That said resolution be laid on the table.

Mr. Ward moved a suspension of the rules, for the purpose of considering said resolution.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative, three-fourths not voting in favor thereof.

On motion of Mr. Benedict,

Resolved, That the petition and papers of Winfield S. Forman, for relief, be taken from the files of the House, and referred to the committee on claims.

On motion of Mr. Odell,

At 10 minutes past 12 o'clock, the House adjourned.

THURSDAY, JANUARY 5, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Devol.

The minutes of yesterday were read and approved.

On motion of Mr. Mosely Hutchinson,

Mr. Townsend had leave of absence until Monday.

Mr. Chesebro presented resolutions from the board of supervisors of the county of Albany, in the nature of a petition, in reference to paying the expenses of town boards of health, which were read and referred to the committee on medical societies and colleges.

Mr. Sessions presented resolutions of the board of supervisors of Chautauque county, for a repeal of the military capitation tax, which were read and referred to the committee on the militia and public defence.

Mr. Palmer presented resolutions of the board of supervisors of Chautauque county, for the repeal of the militia law, which were read and referred to the committee on the militia and public defence.

Mr. R. J. Baldwin presented the petition of John Van Buren, Daniel S. Dickinson, George Wood, and others, for an increase of the salaries of the judges of the court of appeals, which was read and referred to the committee on the judiciary.

Mr. S. F. Miller presented the memorial and petition of the board of canvassers of the county of Delaware, praying that the law may be so amended as to allow the votes to be canvassed at an earlier day after the election than the day now prescribed by law, which were referred to the committee on privileges and elections.

Mr. Monfort presented the petition of the Fishkill and Beekman Plank Road Co., to be released from building part of their road, which was referred to the committee on roads and bridges.

Mr. Dewey presented the petition of the Sacketts Harbor and Saratoga Railroad Co., praying for permission to make a part of its road through the corners of Warren and Essex cos., which was read and referred to the committee on railroads.

Mr. Payne presented the petition of John Brown, praying compensation for damages sustained by the break in the Erie canal at Bushnell's basin; also petition of Thomas Wiltse, praying compensation for damages sustained by the break on the Erie canal, near Bushnell's basin; also petition of Royal T. Alvord, praying compensation for damages sustained by a break in the Erie canal, near Bushnell's basin; also petition of Otis Smith, praying compensation for damages sustained by waste-water near Cartersville; which were read and referred to the committee on claims.

Mr. Angel presented the petition of Elizabeth Turpin, praying for compensation for the release of certain lands liable to escheat; also petition of Ann D. Lowry, praying for release of certain lands liable to escheat, which were read and referred to the committee on claims.

Mr. Benedict presented the petition of James Cunningham, praying relief for damages by the falling of a canal bridge in the city of Utica, which was read and referred to the committee on claims.

Mr. Benedict presented a memorial of the board of supervisors of Oneida co., asking for a change of the law in relation to the board of health, which was read and referred to the committee on internal affairs.

Mr. Crocheron presented the petition of the board of supervisors and other citizens of Richmond co., praying for the repeal of the road law of said county, which was read and referred to the committee on roads and bridges.

Mr. Hull presented the petition of John C. Van Alstyne, asking for payment of interest on an award in his favor made by the canal appraisers in 1841; also petition of John Van Alstyne, praying compensation for damages sustained in consequence of the obstruction of a culvert under the Erie canal, which were read and referred to the committee on claims.

Mr. Ward presented the petition of John Aspinwall and others, praying for an act of incorporation of Panama Telegraph Co., which was read and referred to the committee on commerce and navigation.

Mr. Lozier presented the petition of 203 voters of the town of Ossian, South Dansville, Wayland, Springwater, Dansville, Sparta and West Sparta, praying for a county to be created out of parts of Allegany, Steuben and Livingston co's, which was read and referred to the committee on the erection and division of towns and counties.

Mr. G. Miller presented a petition praying for the incorporation of River Head Navigation and Mill company, which was read and referred to the committee on commerce and navigation.

Mr. Peters gave notice that he would, at an early day, ask leave to introduce a bill providing for the removal of all unclaimed deposits and dividends in the several banks to the treasury of the State, and the interest thereon applied to free school purposes.

Mr. Peters gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes in relation to the crime of arson; also, a bill to improve the old State Hall, and provide suitable accommodations for the N. Y. S. Agricultural Society.

Mr. Richards gave notice that he would, at some future day, ask leave to introduce a bill to have the office of the chief of police and of the captain thereof of the city of New-York, made elective offices by the people.

Mr. S. Baldwin, of St. Lawrence co., gave notice that he would,

at an early day, ask leave to introduce a bill for the improvement of the Grass river, in said county, for floating logs and timber, and to declare the same a public highway.

Mr. Graham gave notice, that he would, at an early day, ask leave to introduce a bill for the better protection of emigrants arriving at the port of New-York.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to legalize primary elections in the city of New-York."

Mr. Richards gave notice that he would, at some future day, ask to have a committee appointed to examine and thoroughly investigate the public works, books and papers, under the management and control of the governors of the Alms House.

Mr. Cook gave notice that he would, at some future day, ask leave to introduce a bill authorising the trustees of the First Methodist Episcopal church, of the town of Bergen, to sell their church property.

Mr. Sessions gave notice that he would, at an early day, ask leave to introduce a bill for a repeal of the military capitation tax.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to amend "An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn, passed April 16, 1852."

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to amend "An act for the better security of mechanics and others erecting buildings, performing work, or furnishing materials therefor, in the county of Kings, passed June 8th, 1853."

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill in relation to the office of the register of deeds, of the city and county of New-York.

Mr. Gleason gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "an act incorporating the Sackets Harbor and Saratoga railroad company," passed April 10, 1848; also the several acts amending the same, passed March 28, 1851, and April 15, 1853.

Mr. A. A. Dunlop gave notice that he would at some future day ask leave to introduce a bill to amend the charter of the village of West Troy.

Mr. Case gave notice that he would at some early day ask leave to introduce a bill altering the time of holding annual elections.

Mr. Angle gave notice that at some early day he would ask leave to introduce a bill providing for a revision of the statute Laws of this State.

Mr. L. Miller gave notice that he would at an early day ask leave to introduce a bill for the further improvement of the Racquet river and its tributaries in the county of St. Lawrence, and to declare the same a public highway.

Mr. Odell gave notice that he would at an early day ask leave

to introduce a bill to amend the act entitled "an act to provide for incorporation of villages," so far as relates to the village of Mount Vernon, in the county of Westchester.

Mr. Thorn gave notice that he would at an early day ask leave to introduce a bill to amend chapter 13, part first, vol. 1, of the Revised Statutes, relative to the assessment and collection of taxes.

Mr. Scott gave notice that he would at an early day ask leave to introduce a bill to amend chapter 178, Laws of 1826, entitled "an act to incorporate the Ovid academy, and for other purposes," passed April 13, 1826.

Mr. Thorn gave notice that he would at an early day ask leave to introduce a bill equalizing fare on railroads, and amending the Revised Statutes relative thereto.

Mr. Dewey gave notice that he would at an early day ask leave to introduce a bill to authorize the Sacketts Harbor and Saratoga railroad company to construct a part of its road in the counties of Warren and Essex.

Mr. Gleason gave notice that he would, at an early day, ask leave to introduce a bill for the improvement of the Sacandaga river.

Mr. Gleason gave notice that he would, at an early day, ask leave to introduce a bill authorising the boards of supervisors in the several cities and counties in this State to establish work-houses in connection with their respective county jails.

By unanimous consent,

Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to repeal an act relative to the purchase and laying out of certain lands for a public park in the 19th ward of the city of New-York, and the powers and duties of the mayor and aldermen and commonalty in relation thereto," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Conkling,

Said bill was referred to a select committee consisting of the New-York delegation.

In pursuance of previous notice, Mr. Hall asked and obtained leave to introduce a bill entitled "An act declaring Oswegatchie river a highway, and for the improvement of said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act for the incorporation of companies to navigate lakes and rivers and canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to enlarge the jurisdiction of the court of sessions of Kings county," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Peters asked and obtained leave to introduce a bill entitled "An act for the better regulation of estrays," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

In pursuance of previous notice, Mr. Hoyle asked and obtained leave to introduce a bill entitled "An act to extend the time for a compliance of the Northern railroad co., with the second section of their act of incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to establish a code of civil procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to establish a code of criminal procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Leigh,

Resolved, That so much of the Governor's message as relates to the subject of intemperance and the sale of intoxicating liquors, be referred to a select committee of seven.

Mr. Conkling offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Commissioners of the Land Office be requested to report, at their earliest convenience, to this House, whether in their opinion, the second section of the act of April 10, 1850, entitled "An act to amend the Revised Statutes relating to grants of land under water," repeals the prohibition contained in the act passed May 6, 1835, entitled "An act to amend the Revised Statutes relative to grants of land under water," that no grants shall be made by the Commissioners of the Land Office, within the boundaries of the city of New-York, or if such prohibition has been repealed or annulled by any other act of the Legislature of this State.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. Richards,

Resolved, That for the preservation of the health of the members sitting in the locality of the cloak room, there be a screen put in front of the cloak room door, to keep away the draft; also that there be a chimney board.

Mr. Angle offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Comptroller be requested to report to this House at his earliest convenience, the amount expended to supply the members, officers and reporters of the last House with stationery, pen knives and newspapers.

Debate was had thereon, when

Said resolution was laid on the table.

On motion of Mr. Neilson,

Resolved, That the papers relating to the application for the erection of a toll bridge at the Narrows, Saratoga lake, be taken from the files, and referred to the committee on roads and bridges.

Mr. Savage offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) That our Senators and Representatives in Congress, be requested to vote for the purchase of Mount Vernon.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. D. P. Wood,

Resolved, That the thanks of this Assembly are justly due and hereby tendered to Walter A. Cook and Herace Moody, deputy clerks of the last Assembly, for their efficient services rendered in the organization of this Assembly.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) That 16,000 copies of the report of the Comptroller, be printed for the use of the House, and 300 for the Comptroller.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. Clinton,

Resolved, That the clerk of the Assembly be directed so to construe the 11th clause of the 3d article of the Constitution, requiring each House to keep a journal of its proceedings and to publish the same and have copies distributed to members and reporters on the second day after its approval by the House.

Mr. Speaker announced the appointment of Messrs. Baker, Hall, R. J. Baldwin, G. Miller and Morris, as the committee on privileges and elections.

Mr. Speaker announced the appointment of the following pages of the House, whose term will expire on the 22d of February next: Charles Greene, Mathew Hallenbeck, William Gardner, George Henry, William O'Brien, Henry Snyder, Joseph Fitzgerald, William Spurburgh, Jonathan Davis, James Lee, Abraham Langstaff, John Maston, George Mozier, William Dunn; also the appointment of the following pages, whose term will commence on the 22d of February: Alonzo McMullen, William Stevens, George W. Shiffer, Edward Krupper, James McElroy, Augustus Graham, John Leslie, Edward Martin, Thomas R. Harkness, Alonzo Rich-

ardson, John Medell, James Cotter, Thomas McGuire, Henry Heely; also the following appointment of officers of the House: Ross Brohd, assistant sergeant-at-arms; E. D. Webster, postmaster; Simeon Dillingham, doorkeeper of gentlemen's gallery; P. Barrett, doorkeeper of ladies' gallery, John H. France, janitor.

On motion of Mr. Peters,

The House then resolved itself into a committee of the whole for the consideration of the Governor's message.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress and asked and obtained leave to sit again.

On motion of Mr. B. Hall,

At 12 o'clock the House adjourned.

FRIDAY, JANUARY 6, 1854.

House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

Minutes of yesterday were read and approved.

Mr. Speaker announced the appointment of the following special committee on so much of the Governor's message as relates to the manufacture and sale of intoxicating drinks, to wit:

Messrs. Leigh, Harris, Littlejohn, Hall, Gibbs, Dewey and Odell.

Mr. Cook presented the petition of the trustees of the First Religious Methodist Episcopal Society of the town of Bergen, praying for leave to sell their meeting house lot, which was read and referred to the committee on charitable and religious societies.

Mr. Angle presented the petition of Ira Belden and others, praying for the incorporation of the Six Penny Savings Bank of Rochester, which was read and referred to the committee on banks and insurance companies.

Mr. S. Baldwin presented the petition of inhabitants of the county of St. Lawrence, praying for the improvement of the Grass and Oswegatchie rivers, for the floating of logs and timber, which was read and referred to the committee on commerce and navigation.

Mr. D. P. Wood presented the petition of Cyrus Ellis for the repeal of the law exempting the property of ministers of the gospel from taxation, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Chesebro' presented the petition of John O'Brien and others, praying for authority to take and convey real estate in the city of Albany, which was read and referred to the committee on the petition of aliens.

Mr. Kirkland presented the petition of 102 Seneca Indians, praying for the passage of a law prohibiting the manufacture and sale of alcohol in this State, which was read and referred to a select committee.

Mr. McGraw presented a petition of the inhabitants of the county of Cortland, praying for a prohibitory liquor law, which was read and referred to a select committee.

Mr. Conkling presented the petition of the medical faculty of the University of the city of New-York, praying for the passage of a law to promote medical science, which was read and referred to the committee on medical colleges and societies.

Mr. R. Dunlop presented the petition of Wm. J. Ferris, of the county of Niagara, praying for the passage of a law to protect the rights of farmers, and to compel railroad companies to build fences on their own land, which was read and referred to the committee on railroads.

Mr. Benedict, from the select committee appointed to report a revision of the standing rules, reported the rules of the last House with sundry amendments thereto, which were agreed to with the exception of the amendment made by the committee to the 20th rule, and the amendment to the 52d rule, proposing to abolish the committee on State charitable institutions. The rules as thus revised and amended, were then adopted.

(See Doc. No. 6.)

Mr. Speaker presented the memorial of the State Superintendent of Weights and Measures, which was read and referred to the committee on internal affairs of towns and counties, and ordered printed.

A message from the Senate was received and read, in the words following, to wit:

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly which were in force at the last session of the Legislature, be referred to a joint select committee of the two Houses for revision, and that until the report of said committee be finally acted upon, the joint rules aforesaid shall be in full force; and that said committee, on the part of the Senate, be appointed by the President.

Ordered, That Messrs. Robinson, Putnam and Z. Clark, be appointed such committee on the part of the Senate.

Ordered, That said resolution be laid upon the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act granting the consent of the State of New-York, to the purchase by the United States, of certain lands for the purpose of the erection of a custom house, ware house and court rooms, and ceding jurisdiction over the same, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peters,

Said bill was referred to a select committee consisting of the Erie county delegation.

"An act for the relief of Laight-street Baptist Church of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ward,

Said bill was referred to a select committee consisting of Messrs. Ward, Savage and Lozier.

Mr. Benedict gave notice that he would, at some future day, ask leave to introduce a bill authorising the clerks of boards of supervisors to procure a seal, and making their certificates evidence in courts of justice.

Mr. Benedict gave notice that he would, at some future day, ask leave to introduce a bill making city stocks a basis of banking capital.

Mr. Moseley Hutchinson gave notice that he would, at an early day, introduce a bill to amend an act authorizing the city of Auburn to borrow money, passed April 2, 1852.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill for the promotion of medical science.

Mr. Adams gave notice that he would, at an early day, ask leave to introduce a bill for the amendment of the law for the assessment and collection of taxes, so far as relates to taxation upon real estate held as security for the purchase money thereof.

Mr. Cushman gave notice that he would, at an early day, ask leave to introduce a bill to amend title nine, of chapter twenty, of the first part of the Revised Statutes, entitled, "of excise and the regulation of taverns and groceries."

Mr. Thorn gave notice that he would ask leave, at some future day, to introduce a bill to amend chap. seven, part three, title three, of the Revised Statutes, relative to taking conditionally the testimony of witnesses within this State.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill to amend so much of the Revised Statutes as relates to the laying out, opening and paying for highways through unimproved or uninclosed lands.

Mr. Stephens gave notice that he would, at some early day, ask leave to introduce a bill to regulate the rate of fare on way passengers upon the New-York and Erie railroad, and for other purposes.

Mr. R. J. Baldwin gave notice that he would, at an early day, ask leave to introduce a bill to repeal section 10, of chapter 374 of the laws of 1850.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill as to dower and tenancy by the curtesy.

Mr. Savage gave notice that he would, at an early day, ask leave to introduce a bill in relation to the collection of taxes, and

rules of property for taxes and assessments in the city and county of New York.

Mr. Lozier gave notice that he would, at some future day, ask leave to introduce a bill requiring all sales of real estate to be published in the Assembly district, provided a paper is published in the same.

Mr. Harpur asks leave to introduce a bill, at some future day, to amend an act in relation to the accounts of town officers, passed May 14, 1810.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill for a public act to amend an act in relation to free schools in the city of Troy, and school district No. 10 in the town of Lansingburgh, passed July 1, 1851.

Mr. Barrow gave notice that he would, at an early day, ask leave to introduce a bill relative to grand jurors in the city of N.Y.

Mr. Morris gave notice that he would, at some future time, ask leave to introduce a bill to modify the practice in justices' courts, in the city of Brooklyn.

Mr. Morris gave notice that he would, at some future day, ask leave to introduce a bill to enlarge the powers of clerks of justices' courts in the city of Brooklyn.

Mr. A. A. Dunlop gave notice that he would, at some future day, ask leave to introduce a bill entitled "An act in relation to the commutation of taxes in the county of Albany."

Mr. Scott gave notice that he would, at some early day, ask leave to introduce a bill appropriating money to the Ovid academy.

In pursuance of previous notice, Mr. R. J. Baldwin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend title six, of chapter seven, of part one, of the Revised Statutes,' passed July 18, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Harris asked and obtained leave to introduce a bill entitled "An act prohibiting the sale of intoxicating drinks," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on that subject.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act amending the charter of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act making an appropriation for the benefit of the several orphan asylums of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In pursuance of previous notice, Mr. Dewey asked and obtained leave to introduce a bill entitled "An act to authorise the Sackett's Harbor and Saratoga railroad co. to construct a part of its road through the counties of Warren and Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Moseley Hutchinson asked and obtained leave to introduce a bill entitled "An act to increase the Common School Fund, and to provide for a more elevated system of free education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Conkling called for the consideration of the resolution offered by him yesterday, in the words following, to wit:

Resolved, That the Commissioners of the Land Office be requested to report, at their earliest convenience, to this House, whether, in their opinion, the second section of the act of April 10, 1850, entitled "An act to amend the Revised Statutes relating to grants of land under water," repeals the prohibition contained in the act passed May 6, 1835, entitled "An act to amend the Revised Statutes relative to grants of land under water," that no grants shall be made by the Commissioners of the Land Office within the boundaries of the city of New-York, or if such prohibition has been repealed or amended by any other act of the Legislature of this State.

Mr. Speaker put the question whether the House would agree to the said resolution and it was determined in the affirmative.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That 4,000 extra copies of the annual report of the Commissioners of the Canal Fund be printed for the use of the Legislature, and 300 for the Canal Department.

Ordered, That the said resolution be referred to the committee on public printing.

On motion of Mr. Freeman,

Resolved, That the papers relating to the resurvey of a certain State road leading from Medina to Knowlesville in the county of Orleans, be taken from the files and referred to committee on roads and bridges.

On motion of Mr. Freeman,

Resolved, That the papers relating to the claims of James Jackson for canal damages be taken from the files of the House and referred to the committee on claims.

Mr. D. W. Clark called up the following resolutions heretofore offered by him:

Whereas, During the last twelve months the great and increasing mortality has occurred on board of vessels engaged in the business of carrying immigrants to various ports of the United

States, and undoubted evidence exists that such suffering and death result from insufficient ventilation; and

Whereas, The existing laws are inadequate to secure the immigrants from these calamities; Therefore,

Resolved, (if the Senate concur,) That we respectfully ask the Congress of the United States to investigate this important subject and enact such laws as may be necessary to secure the health of passengers on emigrant vessels.

Resolved, That the foregoing preamble and resolutions duly authenticated, be forwarded to the Hon. Hamilton Fish, United States Senator from this State, who promptly at the commencement of the present session of Congress directed the attention of the Senate to the evils of the existing system.

Mr. Speaker put the question whether the House would agree to the said preamble and resolutions, and it was determined in the affirmative.

On motion of Mr. D. P. Wood,

Resolved, That the Senate be requested to return to this House the papers in relation to the claims of Theodore D. Barton and Thomas Burns.

Mr. Peters called up the following resolution heretofore offered by him:

Resolved, (if the Senate concur,) That 16,000 copies of the report of the Comptroller be printed for the use of the House, and 300 for the Comptroller.

Mr. Clark moved to amend by inserting 20,000 instead of 16,000.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clark, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution of Mr. Peters, and it was determined in the affirmative.

On motion of Mr. Ward,

Resolved, That the comptroller of the city of New-York and the street commissioners of that city, report immediately to this House the amount of fees, court charges, compensations, salary, and all other payments to the counsel of the corporation of the city of New-York from the first of January, 1830, to the first day of January of the present year, specifying the aggregate amount paid in each year, and to whom paid.

Resolved, That the street commissioners also report the aggregate amount of fees paid to commissioners of estimate and assessment in the matter of opening and improving streets, avenues and public places, annually, from January 1830 to the first of January of the present year, and also the amount of room hire and clerk hire paid said commissioners annually within the same period.

On motion of Mr. Odell,

Resolved, That when this House adjourns it adjourn until Monday at 11 o'clock, A. M.

On motion of Mr. Sessions,

Resolved, That the papers on file in relation to the establishment of schools for the education of Tuscarora and Cattaraugus Indians, be taken from the files and referred to the committee on Indian affairs.

On motion of Mr. Sessions,

Resolved, That the papers on file in reference to the heirs and next of kin of John Blacksmith, be taken from the files and referred to the judiciary committee.

On motion of Mr. Edwards,

Resolved, That all paper on the files of the clerk, relating to a claim of James H. Hooker, be taken from the files and referred to the committee on claims.

On motion of Mr. Angle,

The House then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the Comptroller be requested to report to this House, at his earliest convenience, the amount expended to supply the members, officers and reporters of the last House with stationery, penknives and newspapers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Angle,

Resolved, That the use of the Assembly chamber be granted to the New-York State Military Association, on Tuesday evening the 11th instant.

Mr. Littlejohn asked to be excused from serving on select committee on a prohibitory liquor law.

Mr. Speaker put the question whether the House would excuse Mr. Littlejohn, and it was determined in the affirmative.

Mr. Speaker named, as a member of such committee in the place of Mr. Littlejohn, Mr. Mitchell.

Mr Richards moved to adjourn.

Mr. Speaker put the question, whether the House would agree to the motion of Mr. Richards to adjourn, and it was determined in the negative,

The House then resolved itself into a committee of the whole for the consideration of the unfinished business of yesterday, it being the annual message of the Governor, and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn, from said committee, reported that they had had the same under consideration, had made some progress therein, and asked and obtained leave to sit again.

Mr. Speaker presented the annual report of the Superintendent of the Banking Department.

On motion of Mr. Savage,

Resolved, (if the Senate concur) That five thousand extra copies be printed of the report of the Superintendent of the Banking Department.

Ordered, That said resolution be referred to the committee on public printing.

In pursuance of previous notice, Mr. Peters asked and obtained leave to introduce a bill entitled "An act in relation to unclaimed dividends in banks," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Peters also asked and obtained leave to introduce a bill entitled "An act to improve the old State Hall, and to provide more suitable accommodations for the Agricultural Society of the State of New-York," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on agriculture.

A message from the Senate was received and read, requesting the Assembly to transmit to that body the papers relative to the improvement of Raquette river.

Ordered, That the clerk transmit said papers to the Senate.

In pursuance of previous notice, Mr. Peters asked and obtained leave to introduce a bill, entitled "An act to amend the Revised Statutes in relation to the crime of arson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Clark,

At five minutes to one o'clock, P. M., the House adjourned.

MONDAY, JANUARY 9, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

Mr. W. H. Wood, member elect from the first district of Cattaraugus county, appeared and was sworn by the Speaker, and took his seat.

The minutes of Friday were read and approved.

Mr. Harper presented the petition of Cyrus Ellis for a repeal of the law exempting ministers and priests from taxation, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Lozier presented the petition of sundry voters of the towns of Wayland, South Dansville, Springwater, West Sparta, North Dansville and Ossian, for a county from Allegany, Steuben and Livingston, which was read and referred to the committee on the erection and division of cities and villages.

Mr. Lozier also presented the petition of 70 voters of the towns of Ossian, Burns, Wayland, Nunda, Sparta, West Sparta and Dansville, for a new county from Allegany, Steuben and Living-

ston, which was read and referred to the committee on the erection and division of cities and villages.

Mr. Richards presented the petition of the High Bridge Plank Road Company, praying for a law allowing them to abandon a part of their road, which was read and referred to the committee on roads and bridges.

Mr. Benedict presented the petition of Naaman W. More and others for the change of the name of their town.

On motion of Mr. Benedict,

Said bill was referred to the select committee consisting of the Onondaga county delegation.

Mr. Mitchell presented the petition of citizens of Western, Oneida county, for compensation for damages caused by the overflow of Wells brook, which was read and referred to the committee on claims.

Mr. Boardman presented the petition of the McConnellsville and Fish Creek Plank Road Company, for an act to authorise them to abandon the whole or any part of their road, which was read and referred to the committee on roads and bridges.

Mr. Case presented the petition of inhabitants of Oneida county, for the support of a school among the Oneida Indians, which was read and referred to the committee on Indian affairs.

Mr. D. P. Wood presented the petition of Wm. Brown for a law enabling him to convey the real estate of his infant son, which was read and referred to the committee on the judiciary.

Mr. Stevens presented the petition of the inhabitants of Hornellsville, county of Steuben, for the erection of a new county from parts of Allegany and Steuben, which was read and referred to the committee on the erection and division of cities and villages.

Mr. Ward, from the select committee to which was referred the bill entitled "An act for the relief of the Laight-street Baptist Church in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the select committee to which was referred the bill entitled "An act granting the consent of the State of New-York to the purchase by the United States of certain lands for the purpose of the erection of a custom-house, ware-house and courtroom, and ceding jurisdiction to the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented a communication from the Comptroller, in answer to a resolution of the Assembly, relative to the amount of money expended for stationery by the last House

(See Assembly Doc. No.9.)

Ordered, That said communication be referred to the committee on expenditures of the House and be printed.

Mr. Speaker presented a communication from the Manhattan Co., N. Y., transmitting a statement of unclaimed balances and dividends on stock of said company, for two years previous to the first day of September, 1853, which was read and referred to the committee on banks and ordered printed.

Mr. Mathias Hutchinson gave notice that he would at a future day ask leave to introduce a bill to repeal so much of the Revised Statutes as exempts ministers of the gospel, or priests of any denomination, from taxation.

Mr. Mathias Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to provide for the assessment of taxes on the stock of incorporated companies to the owners of such stock, at their place of residence; so that the burden of taxation shall be fairly and equally distributed.

Mr. Angle gave notice that he would, at an early day, ask leave to introduce a bill authorizing the New-York and Erie Bank to change its place of business.

Mr. George Miller gave notice that he would, at an early day, ask leave to introduce a bill to incorporate "The Riverhead Canal and Mill Company."

Mr. Fiero gave notice that he would, at an early day, ask leave to introduce a bill authorizing the citizens of the village of Catskill to form a stock company for the purpose of erecting a female seminary.

Mr. Palmer gave notice that he would, at some early day, ask leave to introduce a bill providing for the establishment of schools on the Cattaraugus and Allegany reservations, for the instruction of Indian children.

Mr. Littlejohn gave notice that he would, at an early day, ask leave to introduce a bill to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, Yates county.

Mr. Backus gave notice that he would, at a future day, ask leave to introduce a bill in relation to the opening of Hamilton-street, in the city of Brooklyn.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to bring in a bill entitled "An act authorizing boards of supervisors to use a seal, and making certified copies of their proceedings evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to bring in a bill entitled "An act to amend the charter of the Globe Insurance Company, in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

In pursuance of previous notice, Mr. A. A. Dunlop, asked and obtained leave to bring in a bill entitled "An act in relation to

the commutation of taxes in the county of Albany," was read the first time, and by unanimous consent was also second time, and referred to the committee on banks.

On motion of Mr. Backus,

Resolved, That the Hon. Secretary of State be requested to this House at the earliest practicable day, to state the number of copies of the Documentary History of the New-York, published under the authority of the Legislature of either House; the number of copies distributed by authority, and the number of copies of each volume edition now remaining in his possession.

Also to state to whom the same have been distributed in official position, if any, of each recipient, with the number of copies of either edition furnished to each, and the date of delivery.

Mr. Boyd offered for the consideration of the House, a resolution in words following, viz:

Resolved, That the Clerk be instructed to furnish stationery to the members of this Assembly at government expense, the number not to exceed three hundred to each member, the same to be deducted from the money allowed for stationery.

Ordered, That said resolution be referred to committee on expenditures of the House.

Mr. Barrow offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the use of the Assembly chamber be granted to Mr. George Cepway, the Indian chief, upon Wednesday the 11th instant, for the purpose of delivering a lecture on the claims and wants of the Indians of America.

Ordered, That said resolution be now considered.

Mr. Speaker put the question whether the House would concur in the resolution offered by Mr. Barrow, and it was determined in the affirmative.

Mr. Lozier called up for the consideration of the House a Senate resolution, in the words following, to wit:

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature, be referred to a joint select committee on rules for revision; and that until the report of said committee be finally acted upon, the joint rules aforesaid shall continue in force, and that said committee on the part of the Senate be appointed by the President.

Ordered, That Messrs. Robinson, Putnam, and Z. C. Smith be appointed such committee on the part of the Senate.

Ordered, That such committee on the part of the House be appointed by the Speaker. Messrs. Lozier, Cushman, Benedict, Savage and S. F. M. Wood.

Mr. D. P. Wood offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That so much of the Governor's message as relates to colleges, academies and common schools, be referred to a committee on colleges, academies and common schools.

Resolved, That so much thereof as relates to asylums for idiots and lunatics, and to institutions for the blind, and the deaf and dumb, be referred to the committee on State charitable institutions.

Resolved, That so much thereof as relates to the abuse of foreign immigrants, the code of procedure, and the modification of the jury and criminal laws be referred to the judiciary committee.

Resolved, That so much thereof as relates to houses of refuge, prisons and jails, be referred to the committee on State prisons.

Resolved, That so much thereof as relates to the militia and the militia laws, be referred to the committee on militia and public defence.

Resolved, That so much thereof as relates to banks, banking associations and currency, be referred to the committee on banks.

Resolved, That so much thereof as relates to canals, be referred to the committee on canals.

Resolved, That so much thereof as relates to the revenue, debt and expenditure of the State, be referred to the committee on ways and means.

Resolved, That so much thereof as relates to encroachments upon the New-York harbor be referred to the committee on commerce and navigation.

Ordered, That the said resolutions be referred to the committee of the whole when on that subject.

On motion of Mr. Benedict,

Resolved, That the papers and documents on the files of this House, in relation to the claim of James Cunningham for relief, be taken therefrom and referred to the committee on claims.

The House then resolved itself into a committee of the whole on the Senate bill, entitled "An act for the relief of the Laight street Baptist church in the city of New-York."

After some time spent thereon Mr. Speaker resumed the chair, and Mr. Sessions from said committee reported progress and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole and proceeded to the consideration of the Senate bill, entitled "An act granting the consent of the State of New-York to the purchase by the United States of certain lands in the city of Buffalo for the erection of a custom house, ware house and court room, and ceding jurisdiction to the same."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict from said committee reported progress and asked leave to sit again.

Mr. Ward moved that the committee be discharged from a further consideration of said bill, and that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative.

The House then proceeded to the consideration of the unfinished business of January 6th, being the consideration of the Governor's message.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress, and asked and obtained leave to sit again.

Mr. Littlejohn presented a memorial from the State temperance society, praying for a law to prohibit the sale of intoxicating drinks, which was read and referred to the select committee.

Mr. Littlejohn presented the petition of the supervisors, assessors and inhabitants of the town of Jerusalem, Yates co., asking the immediate passage of an act to correct the assessment roll of said town, which was read and referred to a select committee.

Mr. Speaker announced as such committee, Messrs. Underwood, Littlejohn and Sheeley.

Mr. Angle presented the petition of the mayor and common council of Rochester, and of inhabitants of that city for a bridge over the Erie canal at Nelson street, which was read and referred to the committee on canals.

Mr. Clinton presented a memorial of the New-York Chamber of Commerce, for an amendment of their act of incorporation, changing day of meeting, which was read and referred to the committee on the judiciary.

The bill entitled "An act granting the consent of the State of New-York to the purchase by the United States of certain lands for the purpose of the erection of a custom-house and warehouse and court rooms, and ceding jurisdiction to the same in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows, to wit:

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	Morris	Speaker
Altlin	Cushman	Mat. Hutchinson	Munroe	Suffern
Bailey	Dawson	Jenkins	Nelson	Thorn
Backus	Dewey	Kinney	Noble	Underwood
S. Baldwin	A. A. Dunlop	Lee	Palmer	Ward
Barrow	Edwards	Leigh	Peters	Ware
Baucus	Ferguson	Littlefield	Randall	Wart
Benedict	Fiero	Littlejohn	Richardson	Weed
Bennett	Freeman	Lozier	Robertson	Whipple
Boardman	Germain	Mather	Rowland	White
Boyd	Gleason	May	Savage	Whitman
Brust	Graham	McGraw	Scott	Wilson
Case	Hall	McMurray	Seesley	Williams
Chesbro'	Harpur	G. Miller	Seeley	Winne
Clinton	Harris	L. Miller	Sharp	D. P. Wood

Cook
Conkling
Crocheron

Hatch
Hinkley
Hollenbeck

S. F. Miller
Mitchell
Montfort

Sheeley
Sill

J. S. Wood
W. H. Wood

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For the negative,

Collins

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Ordered, That the clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

Mr Conkling gave notice that he would, at an early day, ask leave to introduce a bill to provide for the investigation of the origin of fires in the city of New-York.

Mr. Clinton gave notice that he would, at an early day, ask leave to introduce a bill to amend the act incorporating the chamber of commerce in the city of New-York, changing the day of meeting.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill, entitled "An act for the promotion of medical science," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

On motion of Mr. Ward,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the Laight-street Baptist church in the city of New-York," and that the same be ordered to a third reading.

On motion of Mr. Littlejohn,

At fifteen minutes past 12 o'clock the House adjourned.

TUESDAY, JANUARY 10, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The minutes of yesterday were read and approved.

Mr. Sterling asked and obtained leave of absence for Mr. Bostwick until next Tuesday.

Mr. Montfort presented the petition of the board of supervisors of the county of Dutchess, for aid under the Albany penitentiary law, which was read and referred to the committee on State prisons.

Mr. Sterling presented the petition of E. Q. Eldridge and others praying for an act to incorporate the Poughkeepsie Female Collegiate Institute, which was read and referred to the committee on colleges, academies and common schools.

Mr. Germain presented a memorial of the common council of Buffalo, for the passage of an act requiring the Canal Commis-

sloners to construct immediately bridges over the Erie canal in the city of Buffalo, at Perry, Scott, Louisiana and Hudson streets, which was read and referred to the committee on canals.

Mr. Weed presented a memorial of the common council of the city of Buffalo, praying for a law requiring the Canal Commissioners to build bridges on certain streets across the New-York State canal, which was read and referred to the committee on canals.

Mr. Morris presented the petition of Isaac Brower, praying for an amendment of the law relative to escheats, which was read and referred to the committee on aliens.

Mr. Lozier presented a resolution in the nature of a memorial from the board of supervisors of Livingston county, in relation to boards of health, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Benedict presented the petition of members of the bar of Oneida county, for the purchase of law reports of this State, and moved its reference to a select committee consisting of the Oneida county delegation.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

Mr. S. Baldwin presented a petition of the inhabitants of St. Lawrence county, for the improvement of Grass river and Oswegatchie river, for floating logs and timber, which was read and referred to the committee on commerce and navigation.

Mr. Stephens presented a petition of the inhabitants of Hornellsville, for the erection of a new county from parts of Allegany and Steuben, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Rose presented the petition of Cyrus Ellis, praying for the repeal of the law exempting ministers of the gospel from taxation, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Crocheron presented the petition of Port Richmond and Fresh Kill Plank Road Company, which was read and referred to the committee on roads and bridges.

Mr. Crocheron presented the petition of L. W. Brainard and other merchants of the city of New-York, praying for an act to provide for the incorporation of companies to navigate the canals, rivers and lakes of the State of New-York, which was read and referred to the committee on commerce and navigation.

Mr. Underwood, from the select committee to which was referred the petition of citizens of Jerusalem praying for the passage of a law to equalize and collect the taxes in that town, reported and obtained leave to bring in a bill entitled "An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker presented the annual report of the State Prison Inspectors, which was referred to the committee on State prisons.

A message was received from the Senate informing that they had amended the following concurrent resolution by striking out the word "ten" and inserting "six," to-wit:

Resolved, (If the Senate concur,) That ten thousand extra copies of the Governor's Message be printed for the use of the members of this House, and three hundred and fifty for the use of His Excellency, the Governor.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly had concurred in the amendment thereto.

Mr. Bergen gave notice that he would, at an early day, ask leave to introduce a bill authorizing the Brooklyn City Railroad Company, to extend their road through the towns of New Utrecht, Gravesend, Flatlands, and Flatbush, and over Gowanus Bay and Coney Island Creek.

Mr. Cushman gave notice that he would, at an early day, ask leave to introduce a bill to establish an Industrial Savings Institution in the village of Newburgh, Orange county.

Mr. Willis gave notice that he would, at some early day, ask leave to introduce a bill to incorporate an Asylum for the reformation of poor and destitute inebriates.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to render more perfect and equitable the laws concerning escheats, now in force in this State, and to derive revenue therefrom.

Mr. Haris gave notice that he would, at some early day, ask leave to introduce a bill to amend and consolidate the several acts in relation to the militia of this State.

Mr. Ware gave notice that he would, at an early day, ask leave to introduce a bill providing for an investigation of the original causes of fires in the city of New-York, and defining and enlarging the duties of police justices and their clerks in said city.

Mr. McMurray gave notice that he would, at some future day, ask leave to introduce a bill for the incorporation of companies for the navigation of the waters of Lake George by steamboat.

Mr. Littlefield gave notice that he would, at an early day, ask leave to introduce a bill to provide for an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson.

Mr. Richardson gave notice that he would, at an early day, ask leave to introduce a bill to enable the High Bridge Plank Road Co. to abandon a part of their road.

Mr. Angle gave notice that he would, at an early day, ask leave to introduce a bill amending the provisions of the Revised Statutes relative to the discharge of insolvent debtors.

Mr. Angle gave notice that he would, at some early day, ask leave to introduce a bill to amend the provisions of the Revised Statutes relative to divorce.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill to provide for the conveyance of lands on the specific performance of a contract made by a party deceased.

Mr. Hull gave notice that he would, at an early day, ask leave to introduce a bill to encourage and promote medical enquiry and investigation. and for the better protection of burying grounds and cemeteries.

Mr. Crocheron gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the Port Richmond and Freshkill Plank Road Company.

Mr. Wood gave notice that he would, at an early day, ask leave to introduce a bill concerning appeals.

Mr. Germain asked and obtained leave of absence for Mr. Hatch, until Monday next.

In pursuance of previous notice, Mr. Angle asked and obtained leave to introduce a bill entitled "An act to provide for revising and publishing the laws of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mathias Hutchinson asked and obtained leave to introduce a bill entitled "An act to repeal certain parts of the Revised Statutes relating to ministers of the gospel, and priests of every denomination," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Cook asked and obtained leave to introduce a bill entitled "An act authorising the trustees of the First Methodist Episcopal church of the town of Bergen, to sell a part of their church property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend acts in relation to free schools in the city of Troy, and district No. 10, of the town of Lansingburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Scott asked and obtained leave to introduce a bill entitled "An act to amend chapter 172, Laws of 1826, relative to Ovid academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Angle asked and obtained leave to introduce a bill entitled "An act to authorise the New-York and Erie bank to change its place of business," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act to amend an act incorporating the Chamber of Commerce of the city of New-York, changing the day of meeting," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Harpur asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the accounts of town officers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. May,

Resolved, That all the petitions and remonstrances relating to the passage of a prohibitory liquor law, which were presented to the last Legislature, be taken from the files and referred to the select committee having this subject now under consideration.

On motion of Mr. A. A. Dunlop,

Resolved, That the papers on file relative to the claim of Talcott, Hale and Garritson, be taken from the files and referred to the committee on grievances.

On motion of Mr. Benedict,

Resolved, That the papers and documents in relation to the claim of Peter Clougher, be taken from the files of this House, and referred to the committee on claims.

Mr. S. Baldwin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That in addition to the usual number of the report of the Inspectors of State Prisons, there be printed one thousand copies for the use of said Inspectors.

Ordered, That said resolution be referred to the committee on public printing.

The House then, in committee of the whole, proceeded to the consideration of the unfinished business of yesterday, being the annual message of the Governor.

After some time spent thereon,

Mr. Speaker resumed the chair, and Mr. Lozier, from said committee, reported progress and asked and obtained leave to sit again.

The House then proceeded, in committee of the whole, to the consideration of the bill entitled "An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates."

After some time spent thereon,

Mr. Speaker resumed the chair, and Mr. Hall, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The Senate bill entitled "An act for the relief of the Laight-

street Baptist Church, in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cook	Hinkley	Munroe	Sheeley
Angle	Conkling	Hollenbeck	Nelson	Sill
Aitken	Cost	Howell	Noble	Smalley
Bailey	Crocheron	Hull	Palmer	Speaker
Backus	Cumming	Mat. Hutchinson	Payne	Stephens
R. J. Baldwin	Cushman	Mos. Hutchinson	Peters	Sterling
S. Baldwin	Dawson	Jenkins	Preston	Suffern
Barrow	Dewey	Kirkland	Randall	Thompson
Barton	R. Dunlap	Leigh	Richards	Underwood
Baucus	Ferguson	Littlefield	Richardson	Ward
Beers	Fiero	Lozier	Robertson	Ware
Benedict	Freeman	Martin	Rose	Weed
Bennett	Germain	Mather	Rowland	Whipple
Bergen	Gibbs	May	Savage	Whitman
Boardman	Gleason	McGraw	Scott	Willson
Brust	Gott	McMurray	Searing	Willis
Burgess	Graham	G. Miller	Seaslons	Williams
Case	Hall	L. Miller	Seeley	Winne
Chesebro	Harpur	Mitchell	Sharp	W. H. Wood
Clark	Harris	Morris		

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to correct the assessment roll and for the equalization and collection of taxes in the town of Jerusalem," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 88 }
{ NOES 03 }

Those who voted in the affirmative are,

Adams	Conkling	Hollenbeck	Morris	Sill
Aitken	Cost	Howell	Munroe	Smalley
Bailey	Crocheron	Hull	Noble	Speaker
Baker	Cumming	Mat. Hutchinson	Palmer	Sterling
Backus	Cushman	Mos. Hutchinson	Payne	Suffern
R. J. Baldwin	Dawson	Jenkins	Peters	Underwood
S. Baldwin	Dewey	Kinney	Preston	Ward
Barrow	R. Dunlap	Lee	Richardson	Wart
Barton	Edwards	Littlefield	Robertson	Weed
Benedict	Ferguson	Lozier	Rose	Whipple
Bennett	Fiero	Mather	Rowland	White
Bergen	Germain	May	Savage	Whitman

Brust	Gleason	McGaw	Scott	Wilson
Burgess	Gott	McMurray	Searing	Williams
Casebro	Graham	Mills	Sessions	Wines
Clark	Harpur	L. Miller	Seeley	D. P. Wood
Clinton	Harris	S. F. Miller	Sharp	W. H. Wood
Cook	Hinkley	Monfort		

Those who voted in the negative are,

Burnett	Freeman	Legg
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Peters gave notice that, at some early day, he would ask leave to introduce a bill for a more efficient organization of the State prisons.

Mr. Crocheron gave notice that he would, at some future day, ask leave to introduce a bill for the relief of the Port Richmond and Fresh Kill Plank Road Company.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to alter the Commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Backus,

Resolved, That the papers relative to the application for the opening of Hamilton-street, in the city of Brooklyn, be taken from the files and referred to the committee having in charge the bill to alter the Commissioners' map of the city of Brooklyn.

Mr. Speaker announced the following standing committees, to wit:

Ways and Means,

Mr. Sessions,	Mr. Odell,
Mr. Ward,	Mr. Collins.
Mr. D. P. Wood,	

Commerce and Navigation.

Mr. Germain,	Mr. Hinkley,
Mr. Conkling,	Mr. Smalley.
Mr. Backus,	

Canals.

Mr. Littlejohn,	Mr. Clinton,
Mr. Weed,	Mr. R. Dunlap.
Mr. Payne,	

Railroads.

Mr. Peters,	Mr. Searing,
Mr. Edwards,	Mr. Randall.
Mr. Cumming,	

Bonds.

Mr. Benedict,
Mr. Fiéro,
Mr. A. A. Dunlop,

Mr. Aitken,
Mr. Morris.

Insurance Companies.

Mr. Conkling,
Mr. Case,
Mr. Bailey,

Mr. Sterling,
Mr. Burgess.

Two-thirds and Three-fifths Bills.

Mr. Boardman,
Mr. Barrow,
Mr. Gleason,

Mr. Richards,
Mr. Aitken.

Colleges, Academies, and Common Schools.

Mr. D. P. Wood,
Mr. Mosely Hutchinson,
Mr. Thorn,

Mr. J. S. Wood,
Mr. S. F. Miller.

Grievances.

Mr. Gleason,
Mr. Martin,
Mr. Stephens,

Mr. White,
Mr. Dawson.

Privileges and Elections.

Mr. Baker,
Mr. G. Miller,
Mr. R. J. Baldwin,

Mr. Hall,
Mr. Morris.

Petitions of Aliens.

Mr. Boyd,
Mr. Whipple,
Mr. Littlefield,

Mr. Richards,
Mr. Cushman.

Erection and Division of Towns and Counties.

Mr. Cook,
Mr. Hatch,
Mr. McMurray,

Mr. Rowland,
Mr. Hollenbeck.

Claims.

Mr. S. Baldwin,
Mr. Barrow,
Mr. Mitchell,

Mr. Baticus,
Mr. L. Miller.

Internal Affairs of Towns and Counties.

Mr. Lozier,
Mr. Nielson,
Mr. Monfort,

Mr. Williams,
Mr. Wilson.

Medical Societies and Colleges.

Mr. Hull,
Mr. Chesebro,
Mr. Beers,

Mr. Gorham,
Mr. Preston.

State Charitable Institutions.

Mr. Dewey,
Mr. Boardman,
Mr. Willis,

Mr. Joy,
Mr. Dawson.

Incorporation of Cities and Villages.

Mr. Savage,
Mr. Bergen,
Mr. Jenkins,

Mr. Miller,
Mr. Munroe.

Manufacture of Salt.

Mr. D. P. Wood,
Mr. Harpur,
Mr. Underwood,

Mr. Ferguson,
Mr. Whitman.

Trade and Manufactures.

Mr. Cumming,
Mr. Sill,
Mr. Richardson,

Mr. Wart,
Mr. Noble.

State Prisons.

Mr. Hoyle,
Mr. Townsend,
Mr. R. J. Baldwin,

Mr. C. C. Leigh,
Mr. J. Lee.

Engrossed Bills.

Mr. Littlefield,
Mr. Ware,
Mr. Angle,

Mr. W. H. Wood,
Mr. S. F. Miller.

Militia and Public Defence.

Mr. Harris,
Mr. Angle,
Mr. May,

Mr. Suffern,
Mr. Seeley.

Roads and Bridges.

Mr. Weed,
Mr. Burnett,
Mr. Graham,

Mr. Seeley,
Mr. Barton.

Public Lands.

Mr. Sharp,
Mr. Crocheron,
Mr. Bennett,

Mr. Howell,
Mr. Bostwick.

Indian Affairs.

Mr. Rose,
Mr. Adams,
Mr. Kirkland,

Mr. Joy,
Mr. Thompson.

Charitable and Religious Societies.

Mr. Backus,
Mr. Kinney,
Mr. McGraw,

Mr. Brust,
Mr. Wilder.

Agriculture.

Mr. Mathias Hutchinson,
Mr. Gott,
Mr. Cost,

Mr. Legg,
Mr. Sheeley.

Public Printing.

Mr. Palmer,
Mr. Freeman,
Mr. Robertson,

Mr. Hollenbeck,
Mr. Mather.

Expenditures in Executive Department.

Mr. Scott,
Mr. Winne,
Mr. Wade,

Mr. Searing,
Mr. Howell.

Expenditures of House.

Mr. Ware,
Mr. Holdridge,
Mr. Stephens,

Mr. Hall,
Mr. Whitman.

Judiciary.

Mr. Burnett,
Mr. Benedict,
Mr. Mallory,
Mr. G. Miller,

Mr. Baker,
Mr. Gibbs,
Mr. Clark.

Joint Library.

Mr. Ward,
Mr. Sharp,
Mr. May,

Mr. Cushman,
Mr. Munroe.

On motion of Mr. Collins,
At twelve and a half o'clock, the House adjourned.

WEDNESDAY, JANUARY 11, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The minutes of yesterday were read and approved.

Mr. Boardman presented the petition of the Ogdensburgh, Clayton and Rome railroad co., for an act to authorise them, when \$10,000 per mile from Rome to Ogdensburgh is subscribed, and ten per cent. paid in, to apply to the court for commissioners to appraise land damages on that line of their road, which was read and referred to the committee on railroads.

Mr. Richardson presented the petition of Elijah Rhoades and 140 other legal voters of Manlius, for a prohibitory liquor law, which was read and referred to the select committee on that subject.

Mr. Stephens presented the petition of inhabitants of Hornellsville, for the erection of a new county consisting of a part of Steuben and Allegany, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Ware presented the petition of citizens of the city and county of New-York, praying for an amendment of the law regarding the appointing power of the chief of police, so as to make it an elective office by the people, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Clinton presented the petition of the chamber of commerce of the city of New-York, for an amendment of the usury law, which was read and referred to the committee on the judiciary.

Mr. Benedict, from the select committee consisting of the Oneida county delegation, to which was referred the petition of Naaman W. Moore and others, commissioners appointed to erect a court house and jail in the city of Utica, praying for a release from their official bond, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for a settlement of the accounts of the commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act for the incorporation of companies formed to navigate the waters of Lake George by steamboats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate sent for concurrence a resolution in the words following, to wit:

Resolved, (If the Assembly concur,) That the joint committee on the State library include in their supervision the State Cabinet of Natural History, and be known as the "joint committee of the State Library and Cabinet of Natural History."

Ordered, That said resolution be referred to the committee on joint rules.

Mr. Speaker presented a communication from the Governor, transmitting the annual report of the Adjutant General, in relation to the militia of the State, which was read and referred to the committee on militia and public defence.

The committee on militia and public defence, to which was referred the subject of the militia and public defence, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the enrolment of the militia, and the organization of uniform corps, and the discipline of the military forces of the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sessions moved a reconsideration of the final vote upon the passage of the bill passed yesterday, entitled "An act to correct the assessment roll and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates."

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 88 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Cost	Hollenbeck	Munroe	Sheeley
Aitken	Crocheron	Howell	Nelson	Sill
Bailey	Cumming	Mat. Hutchinson	Odell	Smalley
Baker	Cushman	Jenkins	Palmer	Speaker
R. J. Baldwin	Dawson	Joy	Payne	Stephens
Barrow	Dewey	Legg	Peters	Suffern
Benedict	A. A. Dunlop	Leigh	Preston	Thompson
Bennet	R. Dunlap	Littlefield	Richards	Ware
Bergen	Edwards	Littlejohn	Richardson	Weed
Boardman	Fiero	Lozier	Robertson	Whipple
Burgess	Freeman	May	Rose	Whitman
Burnett	Germain	McGraw	Rowland	Willson
Case	Gibbs	McMurray	Scott	Willis
Chessbro	Gleason	Mills	Searing	Winne
Clark	Gott	G. Miller	Sessions	D. P. Wood
Clinton	Graham	S. F. Miller	Seeley	J. S. Wood
Cook	Harris	Mitchell	Sharp	W. H. Wood
Conkling	Hinkley	Morris		

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Those who voted in the negative are,

Adams	Brust	Kirkland	Noble	Williams
S. Baldwin	Harpur	Lee		

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Mr. Sessions moved that said bill be recommitted to the select committee,

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

Mr. Conkling gave notice that he would at an early day, ask leave to introduce a bill to prevent encroachments on the harbor of New-York, and to appoint commissioners to fix a permanent exterior line for the city.

Mr. Dawson gave notice that he would at an early day, ask leave to introduce a bill for the better inspection of weights and measures, and for an uniform weight of bread in the city and county of New-York.

Mr. Dawson gave notice that he would at an early day, ask leave to introduce a bill granting captains of police in the city and county of New-York, certain magisterial powers.

Mr. Dawson gave notice that he would at an early day, ask leave to introduce a bill relative to the pay of the county canvassers of the city of New-York.

Mr. Payne gave notice that he would at an early day, ask leave to introduce a bill for the relief of Thomas Wiltsie, for damages sustained by a break in the Erie canal, near Bushnell's basin.

Mr. Crocheron gave notice that he would at an early day, ask leave to introduce a bill for the better organization of the uniformed militia of the county of Richmond.

Mr. May gave notice that he would at an early day, ask leave to introduce a bill for the construction of a navigable feeder, to commence at a point on the Genesee Valley canal, near the village of Belfast, and running from thence along the Genesee valley, to some point near the village of Wellsville, in Allegany county.

Mr. Clark gave notice that he would at an early day ask leave to introduce a bill for the election of a commissioner of jurors for the city and county of New-York.

Mr. Clark gave notice that he would at an early day ask leave to introduce a bill to amend the law of divorce.

Mr. Littlejohn gave notice that he would at an early day ask leave to introduce a bill granting the consent of the State of New-York to the purchase by the United States, of certain lands in the city of Oswego, for the purpose of the erection of a custom house, warehouse, post-office, and court room, and ceding jurisdiction over the same.

Mr. Ware gave notice that he would at an early day ask leave to introduce an amendment to the act relative to the laying out of a park in the nineteenth ward of the city of New-York.

Mr. Clark gave notice that he would at an early day ask leave to introduce a bill to amend the law relative to married women, and their right to hold and convey real estate.

Mr. Payne gave notice that he would at an early day ask leave to introduce a bill for the relief of Royal T. Alvord, for damages sustained by a break in the Erie canal near Bushnell's basin.

Mr. Benedict gave notice that he would at an early day ask leave to introduce a bill levying half canal tolls upon the New-York and Erie, New-York central, and Ogdensburgh railroads.

Mr. Littlefield gave notice that he would at an early day ask leave to introduce a bill to authorise the trustees of the First Methodist Episcopal society of the town of Adams, to sell and convey a part of their real estate.

Mr. Clinton gave notice that he would at an early day ask leave to introduce a bill to authorise notaries public to exercise the same powers as are now vested in commissioners of deeds.

Mr. Edwards gave notice that he would, at an early day ask leave to introduce a bill for the relief of Thomas Canavan, Thomas Sausse, James Brady, and Hugh Kelly.

Mr. Payne gave notice that he would, at an early day ask leave to introduce a bill for the relief of John Brown, for damages sustained by a break in the Erie canal near Bushnell's basin.

Mr. Wood gave notice that he would, at an early day ask leave to introduce a bill providing for an inquisition as to the cause of fires throughout the State.

Mr. Payne gave notice that he would at an early day ask leave to introduce a bill for the relief of Otis Smith, for damages caused by the waste wiler at Cartersville.

Mr. Chesebro gave notice that he would at an early day ask leave to introduce a bill to repeal the law passed July 10, 1851, entitled, "An act to abolish tolls on railroads."

In pursuance of previous notice, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act to amend an act entitled, 'An act for the enrolment of the militia, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways and serving on juries,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice, Mr. Richardson asked and obtained leave to introduce a bill entitled "An act allowing the High Bridge plank road company to surrender all, or any part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Hull asked and obtained leave to introduce a bill entitled "An act to encourage and promote medical enquiry and investigation, and protection of burying grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

In pursuance of previous notice, Mr. Crocheton asked and obtained leave to introduce a bill entitled "An act for the relief of the Port Richmond and Fresh Kills plank road company," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Baldwin asked and obtained leave to introduce a bill entitled "An act to repeal sec. 10, of chap. 374, of the laws of 1850," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Hull asked and obtained leave to introduce a bill entitled "An act to render more perfect and equitable, the laws concerning escheats now in force in this State, and to derive revenue therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petition of aliens.

In pursuance of previous notice, Mr. Cushman asked and obtained leave to introduce a bill entitled "An act to amend title nine, of chapter 20, of the first part of the Revised Statutes, entitled, 'Of excise, and the regulation of taverns and grocers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on that subject.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act to legalize primary elections in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on privileges and elections.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act to except promissory notes and bills of exchange from the operation of the usury laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Scott asked and obtained leave to introduce a bill entitled "An act appropriating moneys to Ovid academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. G. Miller asked and obtained leave to introduce a bill entitled "An act to incorporate the River House canal and mill company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Barrow asked and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act in relation to jurors in the city of New-York,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Littlefield asked and ob-

tained leave to introduce a bill entitled, "An act for an additional justice of the peace in the town of Ellesburgh, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Wood, asked and obtained leave to introduce a bill, entitled "An act concerning appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Odell asked and obtained leave to introduce a bill entitled, "An act to amend the act entitled, 'An to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Mount Vernon, in the county of Westchester, as incorporated under said act, and to make the said village a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Bennett,

Resolved, That the petition and papers of Allen W. Horton, in relation to the loss of the canal boat Helen Adela, be taken from the files of the House, and referred to the committee on canals.

Mr. Gott offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to vote for, and use their best endeavors to procure the passage of the land bill introduced by Mr. Bennett, proposing a grant in quantity, equal to one hundred and fifty thousand acres of land to each Senator and member of Congress for public objects, and that in the judgment of this Legislature, the proceeds to which this State would be entitled of such grant, (should it be made,) ought to be applied to the common school fund.

Ordered, That said resolution be laid on the table.

Mr. Clark offered, for the consideration of the House, a resolution in the words following, to wit :

Resolved, That a committee of five be appointed, with authority to examine the location, character, and dimensions of the land taken in the city of New-York by the authority of the Legislature, for parks, and report to this House the adaptation of the grounds for such purposes, and the probable cost of the purchase of said property, and the expenses connected with regulating, laying out, and completing the same.

Ordered, That said resolution be laid on the table.

On motion of Mr. Stephens,

Resolved, That the papers, maps, &c., now on file in this House, in relation to the formation of a new county, to be called Canis-
teo, from the counties of Allegany and Steuben, be taken there-

from, and referred to the committee on the erection and division of towns and counties.

Mr. Clinton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk procure and place in the Assembly library, for the use of members and committees, 10 copies of the Revised Statutes, 4th edition.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Benedict,

The House then proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, (if the Senate concur,) That sec. 2, of art. 2, of the Constitution of this State, be amended by inserting therein immediately after the word "election," where it first occurs in said section, as follows: "or who shall pay, give or receive, or promise to pay, or give any money, or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector from voting." Also by adding at the end of said section, as follows: "or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls any question affecting the right of any person to vote thereat," so that said section two, as amended, shall read as follows: "Laws may be passed excluding from the right of suffrage, all persons who have or may be convicted of bribery, or larceny, or of any infamous crime, and for depriving every person who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election, or who shall pay, give, or receive, or promise to pay, or give money or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector in voting, from the right to vote at such election, or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls, any question affecting the right of any person to vote at such election."

Ordered, That said resolution be laid on the table.

On motion of Mr. Moseley Hutchinson,

Leave of absence was granted to Mr. Townsend for ten days.

The House then proceeded to the consideration of the unfinished business of yesterday, being the consideration of the Governor's message.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress, and asked and obtained leave to sit again.

On motion of Mr. Collins,

At thirty-five minutes past 12 o'clock, the House adjourned.

THURSDAY, JANUARY 12, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The minutes of yesterday were read and approved.

On motion of Mr. S. Baldwin,

Leave of absence was granted to Mr. L. Miller, for one week.

The following appointments were made by the Clerk, to bear date January 3, 1854, at which time the appointees entered upon the discharge of their duties; George P. Avery, William A. Gilbert, Charles M. Scholefield, Larren B. Sessions, deputy clerks; Luther Buxton, librarian; James Aplin, assistant librarian; Thomas E. Osborne, keeper of the Assembly chamber; William E. Hulburt, bank messenger.

This being the day prescribed by the standing rules for general orders,

The House then resolved itself into a committee of the whole, on the bill entitled as follows, to wit:

"An act to provide for the settlement of accounts of the commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cook, from said committee, reported that they had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Oedered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole for the consideration of the Governor's message, and of the resolutions heretofore offered by Mr. Wood.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress and asked and obtained leave to sit again.

Mr. Moseley Hutchinson presented the memorial of the board of supervisors of the county of Cayuga, praying for the abolishment of the superintendent of the poor of that county, which was read and referred to the committee on the internal affairs of towns and counties.

Also a memorial of the board of supervisors of Cayuga county praying for a repeal of a portion of the militia law, which was read and referred to the committee on militia and public defence.

Mr. McGraw presented the petition of sundry ladies of Cortland county, for a prohibitory liquor law, which was read and referred to the select committee on that subject.

Mr. Sterling presented a petition for the passage of a law authorising the Poughkeepsie and Salt Point plank road company to erect toll-gates on said road, which was read and referred to the committee on roads and bridges.

Mr. Gibbs presented the petition of the board of supervisors of the county of Livingston, for the repeal of the law of 1850, creating boards of health in the several towns in the State, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ware presented the petition of citizens of the city of New-York, to amend the law relating to the chief of the police, making it an elective office, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Clinton presented the petition of merchants of the city of New-York, for an act to incorporate companies to navigate the canals, rivers and lakes of the State of New-York, which was read and referred to the committee on commerce and navigation.

Mr. Mills presented the petition of F. Marvin and others, for a lien law in Port Jervis, in the county of Orange, which was read and referred to the committee on grievances.

Mr. Underwood, from the select committee to which was re-committed the bill entitled, "An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The Speaker presented the annual report of the State Treasurer.

(See Ass. Doc. No. .)

Mr. Sessions offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That two thousand copies of the Treasurer's annual report in addition to the usual number, be printed for the use of the Legislature, and five hundred copies for the Treasurer.

Ordered, That said resolution be referred to the committee on public printing.

The bill entitled "An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows, to wit :

{ AYES 80 }
{ NOES 13 }

Those who voted in the affirmative are,

Athkin
Bailey
Baker

Conkling
Cost
Crocheron

Joy
Kinney
Kirkland

Noble
Palmer
Payne

Smalley
Stephens
Sterling

Beckus	Cunning	Logg	Peters	Under
R. J. Baldwin	Dawson	Leigh	Preston	Ward
S. Baldwin	Dewey	Littlefield	Richards	Ware
Barrow	R. Dunlap	Littlejohn	Richardson	Weed
Barton	Edwards	Lozier	Robertson	Whits
Beers	Ferguson	Martin	Rose	Wilson
Bennett	Germain	May	Rowland	Wilde
Bergen	Gibbs	McGraw	Scott	Willis
Burgess	Gleason	Mills	Searing	Willia
Case	Graham	L. Miller	Sessions	Winne
Chesebro	Harpur	Morris	Seeley	D. P.
Clark	Mat. Hutchinson	Munroe	Sharp	J. S.
Cook	Jenkins	Nelson	Sill	W. H.

For the negative,

Angie	Cushman	Hollenbeck	S. F. Miller	Randa
Brust	Hinkley	Howell	Mitchell	Suffer
Collins	Holdridge	Mather		

Ordered, That the Clerk return said bill to the Senate, message informing that the Assembly have passed the same amendments.

Mr. Bailey gave notice that he would at an early day a to introduce a bill to amend the act dividing Steuben cou two jury districts.

Mr. Germain gave notice that he would at an early leave to introduce a bill providing for additional compe of justices of sessions designated to hold the court of ses the county of Erie.

Mr. Richards gave notice that he would at an early leave to introduce a bill limiting the charge on travel by of the Hudson river, Harlem, and Central railroads.

Mr. Graham gave notice that he would at an early leave to introduce a bill amending the 12th section of entitled, "An act further to amend the charter of the New-York," passed April 12, 1853.

Mr. Benedict gave notice that he would at an early leave to introduce a bill to amend the act in relation to corporations, passed March 25, 1853.

Mr. Moseley Hutchinson gave notice that he would at a day ask leave to introduce a bill to abolish the office of superintendent of the poor of the county of Cayuga.

Mr. Morris gave notice that he would at an early day as to introduce a bill in relation to the reissue of the circ notes of banks whose charters have expired.

Mr. Baker gave notice that he would at an early day as to introduce a bill declaring and regulating the rights of companies formed under the act "providing for the incor of bridge companies," passed April 11, 1848.

Mr. Searing gave notice that he would at an early d leave to introduce a bill in relation to courts held by just the peace.

Mr. Baker gave notice that he would at an early day ask

to introduce a bill to amend title 2, chapter 5 of part 3d of the Revised Statutes, relating to "proceedings to compel the determination of claims to real property, in certain cases."

Mr. Mills gave notice that he would at an early day ask leave to introduce a bill for the better security of mechanics and others erecting buildings, performing work, and furnishing materials therefor, in the county of Orange.

In pursuance of previous notice, Mr. D. P. Wood asked and obtained leave to introduce a bill entitled "An act to provide for enquiring into the cause of fires, and for the prevention of incendiarism," was read the first time, and by unanimous consent was also read the second time; and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Payne asked and obtained leave to introduce a bill entitled "An act for the relief of Royal T. Alvord, for damages sustained by him by two breaks on the Erie canal, near Bushnell's basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Willis asked and obtained leave to introduce a bill entitled "An act to incorporate an asylum for the reformation of poor and destitute inebriates of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act levying half tolls upon the New-York and Erie, New-York Central, and Northern rail road companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Ware asked and obtained leave to introduce a bill entitled "An act to amend an act relative to the laying out of a park in the 19th ward of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

In pursuance of previous notice, Mr. Sterling asked and obtained leave to introduce a bill entitled "An act for the relief of the Poughkeepsie and Salt Point plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act relative to the chief of police in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to bring in a bill entitled "An act in relation to notary

publics," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Crocheron asked and obtained leave to bring in a bill entitled "An act for the better organization of the militia of Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

In pursuance of previous notice, Mr. Payne asked, and obtained leave to bring in a bill entitled "An act for the relief of Otis for damages caused by the waste-water at Cartersville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Payne asked, and obtained leave to bring in a bill entitled "An act for the relief of Brown, for damages sustained by him by two breaks in the canal, near Bushnell's basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Payne asked, and obtained leave to bring in a bill entitled "An act entitled an act for the relief of Thomas Wiltsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to bring in a bill entitled "An act for the relief of Thomas Canavan, Thomas Sausse, James Brady and Hugh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Cumming.

Resolved, That the papers on file from the Senate relative to the park in the 19th ward of the city and county of New-York be referred to the New-York delegation.

Mr. Richards offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That a special commission be appointed, three to be appointed by the House, and two by the Senate, with full power to examine the books and records under the control and management of the ten governor's almshouse of the city and county of New-York; also, to investigate all charges of whatsoever kind, (if any are or have been made,) against the wardens of said almshouse, keepers, clerks, &c., and report the result of their investigation to the next Legislature, if practicable.

Ordered, That said resolution be laid on the table.

On motion of Mr. McGraw,

Resolved, That the committee on the militia and public defense be directed to inquire into, and report to this House the propriety of abolishing the military commutation tax, and the support of the militia system a charge on the public treasury.

Mr. Clark moved a reconsideration of the vote on the resolution offered by him yesterday, in the words following, to wit:

Resolved, That a committee of five be appointed with authority to examine the location, character, and dimensions of the lands taken in the city of New-York, by the authority of the Legislature, for parks, and report to this House the adaptation of the grounds for such purposes, and the probable cost of the purchase of said property, and the expenses connected with regulating, laying out and completing the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clark, and it was determined in the affirmative.

Mr. Conkling moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the affirmative.

On motion of Mr. Whitman,

Resolved, That the petitions and other papers on the file of this House for the years 1851, 1852 and 1853, in relation to the application for relief of settlers of Oneida Indian lands, be referred to the committee on public lands.

Mr. Bergen offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the clerks of the several counties in the State, report to this Legislature as early as practicable, the aggregate amount of all the real and personal estate in their several counties which formed the basis of taxation for the year 1853; the amount raised for State purposes under the operation of the mill tax; and also, whether the mill tax was based upon the whole amount of assessable property as equalized by the board of supervisors, or upon the number of acres in each town, or if upon any other principle, to report the same.

Ordered, That said resolution be laid on the table.

On motion of Mr. Conkling,

Resolved, That all petitions and other papers on the files of the Assembly, relating to the Genesee college, be taken therefrom, and sent to the Senate.

Mr. Hinckley moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hinckley, and it was determined in the negative.

On motion of Mr. Gleason,

Resolved, That the Comptroller of this State be requested to report to this House at an early day, for the information of the members thereof, the quantity of lands belonging to the State, in each of the counties of Hamilton, Herkimer and Lewis.

On motion of Mr. Williams,

The House, at twenty minutes past one o'clock, adjourned.

FRIDAY, JANUARY 13, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The minutes of yesterday were read and approved.

Mr. Randall presented a petition of the trustees of Elmir mechanics' Library Association, to be authorised to receive donations on same conditions as saving banks, which was read and referred to the committee on banks.

Also of 141 inhabitants and voters of the town of Elmira law dividing said town, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Harris presented a petition of James Hay for relief, which was read and referred to the committee on petitions of aliens.

Mr. Gleason presented a remonstrance of citizens of Hamilton county, against the proposed amendments to the articles of association of the Sacketts Harbor and Saratoga rail road, which was read and referred to the committee on rail roads.

Mr. Hinckley presented two remonstrances of citizens of Albany, N. Y., against changing the route of the Saratoga and Sacketts Harbor railroad, which were read and referred to the committee on railroads.

Mr. Lozier presented a petition of citizens of Steuben, Seneca and Livingston counties, for the erection of a new county out of parts of said counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Benedict presented two petitions of Herkimer, Hamilton and Lewis counties, for an appropriation to improve West Creek, which were read and referred to the committee on commerce and navigation.

Mr. Hall presented a petition of inhabitants of St. Lawrence county, for the improvement of Oswegatchie and Grass Rivers, which was read and referred to the committee on commerce and navigation.

Mr. Ware presented a petition of citizens of New-York, for the office of chief of police, elective by the people, which was read and referred to the committee on incorporation of cities and villages.

Mr. Littlejohn presented a petition of citizens of Oswego for an amendment to the code, in relation to appeals from the courts, which was read and referred to the committee on judiciary.

Mr. S. Baldwin presented the petition of commissioners of Pierpont, Fine, and Watson road, for aid in the construction of their road, which was read and referred to the committee on roads and bridges.

Mr. J. S. Wood presented the petition of Herace Treadwell, of Jefferson, Schoharie co., for a law confirming his acts as justice of the peace, which was read and referred to the committee on the judiciary.

Mr. S. Baldwin presented the petition of inhabitants of St. Lawrence county, for the improvement of the Grass and Oswegatchie rivers, for floating logs and lumber, which was read and referred to the committee on commerce and navigation.

Mr. Hall also presented a petition on the same subject.

Mr. Sessions moved that the two last named petitions be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the negative.

Said petitions were thereupon referred to the committee on commerce and navigation

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 5,000 extra copies of the report of the Superintendent of the Banking Department, reported the following, as a substitute therefor :

Resolved, That four thousand extra copies of the report of the Superintendent of the Banking Department be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the incorporation of companies formed to navigate the waters of Lake George by steamboats," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 4,000 extra copies of the annual report of the Commissioners of the Canal Fund, reported in favor of printing 4,000 extra copies for the use of the Legislature, and 300 for the Canal Department, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act concerning appeals," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend title six, of chapter seven, of part one of the Revised Statutes,' passed July 18, 1853," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ware, from the committee on expenditures of the House, to which was referred the following resolution,

Resolved, That the Clerk be instructed to furnish stamped envelopes to the members of this Assembly, at government prices, the number not to exceed three hundred to each member, the same to be deducted from the money allowed for stationery, reports that they have had the same under consideration, and have come to the conclusion that the same conflicts with the Constitution of this State, and they recommend, therefore, that it be rejected, which report was agreed to.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Talcott, Hale, and Garrison, praying compensation for damages sustained by the loss of a canal boat, reported, and asked and obtained leave to bring in a bill entitled, "An act for the appraisement of the damages sustained by Talcott, Hale and Garrison, in consequence of the loss of a canal boat," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Benedict, from the select committee to which was referred the petition of members of the bar of Oneida county, for the purchase of the reports of this State for said county, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to procuring books of the reports and statutes of this State, for the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the McConnellsville and Fish Creek plank road company, praying for an act to authorise an abandonment of the whole or any part of their plank road, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the abandonment by the McConnellsville and Fish Creek plank road company, of the whole or any part of their plank road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on privileges and elections, to which was referred the petition of Jesse E. Willis, claiming a seat in this House, reported for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Jesse E. Willis be allowed to take the depositions taken before the county judge of Jefferson county, and the certificate attached thereto, and present the same to the said county judge for amendment; and that the same may be amended by the said county judge, and returned by said Willis when amended, to the committee on privileges and elections.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Ware, from the committee on expenditures of the House to which was referred the resolution directing the clerk to procure and place in the Assembly library, for the use of the members, 10 copies of the Revised Statutes, fourth edition, reported in favor of the passage of the same without amendment, which report was agreed to.

Mr. Lozier, from the committee on the part of the House, appointed to revise the joint rules, reported the joint rules of the last session, with sundry amendments.

Mr. Wood moved that said report be laid on the table and printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wood, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows, to wit:

"An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates."

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from the Canal Department, in the words following to wit:

CANAL DEPARTMENT,
Albany, January 12th, 1854. }

At a meeting of the Canal Board, the following preamble and resolutions were offered by Mr. Spaulding, and were unanimously adopted.

Whereas, Grants of the public lands for building railroads, canals, and other public purposes, have been made by Congress to western states and territories, to a large amount, and several other propositions are now pending for still further grants to be made for similar purposes,

That this Board recognizes the principle that all the States have a right to participate in a fair distribution of the public lands, upon just and equitable terms, if such distribution is to be made; yet as the policy has, to some extent prevailed, and may still further be adopted by Congress, to grant such lands for internal improvements and other public purposes, the enlargement of the Erie canal, in which so many of the western States are interested, is an object worthy of consideration in any such distribution;

Therefore, Resolved, That this Board deem it expedient and proper, that the Legislature make an application to Congress on behalf of the State of New-York, for a grant of a portion of the public lands to aid in the enlargement of the Erie canal, if grants are made to other States for similar objects;

Resolved, That a copy of the foregoing preamble and resolution be furnished by the clerk of the Board to the Senate and Assembly, and their speedy action upon it be respectfully requested.

Mr. Sessions offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, (If the Senate concur,) That the Legislature of this State unite with the Canal Board in an application to Congress for a grant of a portion of the public lands, to aid in the enlargement of the Erie canal, if grants are made to other States for similar objects.

Resolved, That copies of the foregoing preamble and resolutions be forwarded to our Senators and Representatives in Congress.

Ordered, That said resolutions be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to wind up the affairs of the Madison county mutual insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed the 13th day of April, 1784," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to provide for a settlement of the accounts of the commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows, to wit :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Dawson	Jenkins	Munroe	Sterling
Bailey	Dewey	Kirkland	Noble	Suffern
Baucus	A. A. Dunlop	Lee	Odell	Underwood
Barrow	R. Dunlap	Leigh	Palmer	Ward
Benedict	Edwards	Littlejohn	Payne	Ware
Bennett	Freeman	Lozier	Peters	Weed
Bergen	Germain	Martin	Randall	Whipple
Boardman	Gibbs	Mather	Robertson	Whitman
Brust	Gleason	May	Rowland	Wilson
Burnett	Gott	McGraw	Searing	Wilder
Case	Harpur	McMurray	Sessions	Willis
Chesebro	Harris	Mills	Sharp	Williams
Clark	Hinkley	G. Miller	Sill	Winne
Clinton	Hoyle	S. F. Miller	Smalley	D. P. Wood

Cook
Crocherson
Cummings

Hull
Mat. Hutchinson
Mcs. Hutchinson

Mitchell
Morris

Speaker
Stephens

J. S. Wood
W. H. Wood

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. S. Baldwin gave notice that he would at an early day ask leave to introduce a bill to aid the construction of the Pierpont, Fine, and Watson road.

Mr. Lozier gave notice that he will at an early day ask leave to offer an amendment to the 2d standing rule of this House, as follows: "After the reading and approving of the journal, the order of business, which shall not in any case be departed from, except by the unanimous consent of the House, shall be as follows."

Mr. Mather gave notice that he would at an early day ask leave to introduce a bill for the collection of taxes in the county of Otsego.

Mr. Cumming gave notice that he would an early day ask leave to introduce a bill regulating the speed of railroads running through the cities and villages of this State.

Mr. Lee gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled, "An act to incorporate the Cortland bridge company," passed April 8, 1844.

Mr. Searing gave notice that he would at an early day ask leave to introduce a bill authorising Mary Moreland to receive and hold the real estate of her deceased husband, who was an alien.

Mr. Hollenbeck gave notice that he would at an early day ask leave to introduce a bill for the relief of the Albany, Schoharie, and Rensselaerville plank road company.

Mr. Ward gave notice that he would at an early day ask leave to introduce a bill to prohibit the Hudson river railroad company from using steam as a motive power, below 125th-street, in the city of New-York.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to provide for the election of a commissioner to investigate the origin of fires in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Germain asked and obtained leave to bring in a bill entitled "An act to provide for additional compensation of justices of sessions designated to hold the court of sessions in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Bailey asked and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to divide the county of Steuben into two jury dis-

tricts, and to provide for holding courts in and for said county alternately," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to prevent the re-issue of circulating notes of banks whose charters have expired," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Littlejohn asked and obtained leave to introduce a bill entitled "An act granting the consent of the State of New-York to the purchase by the United States, of certain lands in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Searing asked and obtained leave to introduce a bill entitled "An act in relation to courts held by justices of the peace," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to bring in a bill entitled "An act to amend an act relating to railroad corporations, passed February 13, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ward offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That when this House adjourns to-day, it adjourn to meet at 11 o'clock on Monday next.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. R. J. Baldwin,

Resolved, That the petition of Philo Judson, with the accompanying papers, be taken from the files and referred to the committee on claims.

Mr. Burnett moved that the committee on the judiciary be discharged from the further consideration of "An act to repeal section 10 of chapter 375 of the Laws of 1850," and that the same be referred to the committee on the manufacture of salt.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the affirmative.

Mr. Harris offered for the consideration of House a preamble and joint resolutions in the words following, to wit:

Whereas, Grants of the public lands for purposes of internal improvements and various public purposes, have been made by Congress to certain western States to a large amount, and many applications for grants for rail roads, &c., are now pending ;

And whereas, In these grants, the rights of the older States, that have paid the greater part of the cost of the public lands are disregarded, and virtually denied; therefore,

Resolved, That our Senators be instructed, and our Representatives in Congress be requested, to oppose the system of partial and unequal legislation heretofore pursued, in regard to grants of the public lands for public purposes, and insist if future grants of this kind are to be made, to all, and not to a part of the States, to give equal benefits to all the States.

Resolved, That our Senators and Representatives be requested if any grants of this kind are made, to support some general and just measure asserting the principle contained in the bill known as "Bennett's bill," that all the States have an equal interest in the public lands, and should be equally regarded in grants made for all public purposes.

Resolved, That a copy of these resolutions be sent to each of our Senators and Representatives in Congress.

Ordered, That said preamble and resolutions be laid on the table.

Mr. Harris offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 3,000 extra copies of the report of the Adjutant General, be printed for the use of the Legislature, and 500 for the use of the Adjutant General.

Ordered, That said resolution be referred to the committee on public printing.

Mr. M. Hutchinson offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That our Senators in Congress be instructed, and the Representatives in Congress from this State, be requested to set apart and appropriate for their use forever, such portion of the public domain, as in their opinion will be sufficient for a home for the north-west tribes of Indians located east of the Rocky mountains, upon such conditions and terms as Congress shall deem just and proper.

Resolved, That the foregoing resolution be forwarded to our Senators and Representatives in Congress.

Ordered, That said resolution be laid on the table.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That the committee on the manufacture of salt report at an early day on the propriety of reducing the tolls on foreign salt carried on our canals to the same rate with domestic salt.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Munnroe offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Senate be requested to return to this House the resolution offered by Mr. Savage in relation to the purchase of Mount Vernon.

Ordered, That said resolution be laid on the table.

Mr. Bergen called up for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the clerks of the boards of supervisors of the several counties in the State report to this Legislature as early as practicable the aggregate amount of all the real and personal estate in their several counties which formed the basis of taxation for the year 1853, the amount raised for State purposes under the operation of the mill tax; and also whether the mill tax was based upon the whole amount of assessable property as equalized by the board of supervisors, or upon the number of acres of each town, or if upon any other principle to report the same.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Gleason moved a reconsideration of the vote taken on the resolution passed yesterday, in the words following, to wit:

Resolved, That the Comptroller be requested to report to this House at an early day, for the information of its members, the quantity of land belonging to the State, in each of the counties of Hamilton, Herkimer and Lewis.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gleason, and it was determined in the affirmative.

Mr. Gleason moved to amend said resolution by substituting the words "Engineer and Surveyor," for "Comptroller."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gleason to amend, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Mr. Aitken offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That the committee appointed by the last Legislature to examine the State Treasurer's accounts, &c., be requested forthwith, to make their report.

Ordered, That said resolution be laid on the table.

Mr. Clinton moved that the committee on judiciary be discharged from the further consideration of the Senate bill relative to the Chamber of Commerce in N. Y. city, and that the same be referred to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole for the consideration of the Governor's message, and of the resolutions heretofore offered by Mr. Wood.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the Senate bill entitled as follows, to wit:

"An act for the incorporation of companies formed to navigate the waters of Lake George by steamboats,"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ward, from said committee, reported that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Sessions,

The House, at 10 minutes to 1 o'clock, p. m., adjourned.

SATURDAY, JANUARY 14, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

Minutes of yesterday were read and approved.

Mr. Harris presented a resolution from the N. Y. S. Militia Association, in the nature of a memorial, recommending the passage of the militia code as it passed the Senate in 1853, which was read and referred to the committee on militia and public defence.

Mr. Hoyle presented the petition of inhabitants of Plattsburgh, Clinton co., for an amendment of the school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lozier presented the petition of Jonas Ingraham, for pay for property used by State officers, which was read and referred to the Canal Commissioners for a report thereon.

Mr. Littlejohn presented the petition of citizens of Oswego co., for an amendment of the code in relation to appeals from justices' courts, which was read and referred to the committee on the judiciary.

Mr. Benedict presented the petition of citizens of Oneida co., for an appropriation for the improvement of West Canada creek, which was read and referred to the committee on commerce and navigation.

Mr. D. P. Wood presented the petition of inhabitants of Onondaga co., for a law providing for an enquiry into the causes of fires, which was read and referred to the committee on the judiciary.

Mr. Conkling presented the petition of James Boorman and others, tax payers in the city of New-York, for a repeal of the act

to open the "Jones' Wood park," which was read and referred to a select committee of the New-York delegation.

Mr. Neilson presented 9 petitions of inhabitants of Saratoga co., for a law to incorporate a bridge company in said county, to construct a bridge over the outlet of Saratoga lake, which were read and referred to the committee on roads and bridges.

Mr. S. Baldwin presented the petition of a portion of the St. Regis Indians, for damages for selling by the State of New York, Barnhart's and Baxter's Island, which was read and referred to the committee on claims.

Mr. Lozier presented the petition of citizens of Allegany, Steuben and Livingston counties, for a new county from parts of said counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act granting the consent of the State of New-York, to the purchase by the United States of certain lands in the city of Oswego, for the purpose of the erection of a custom house, ware house, post office, and court room, and ceding jurisdiction over the same," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of sundry citizens of Saratoga co., for a bridge over the narrows of Saratoga lake, reported and asked and obtained leave to introduce a bill entitled "An act to incorporate the Saratoga Lake Bridge company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to jurors in the city of New-York,' passed June 30, 1853," reported that the committee had examined the said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to enlarge the jurisdiction of the court of sessions of Kings co.," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act to remove doubts concerning the corporation of the chamber of

commerce, and to confirm the right and privileges thereof, passed the 13th day of April, 1784," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 2,000 extra copies of the annual report of the Treasurer, for the Legislature, and 500 for the Treasurer, reported in favor of the passage of the same without amendment.

Mr. Palmer, from the committee on public printing, to which was referred the resolution providing for the printing of one thousand extra copies of the report of the Inspectors of State Prisons, reported in favor of amending said resolution, by substituting the words "five hundred," for the words "one thousand," for the use of the Inspectors, and adding two thousand copies for the use of the Legislature, which report was agreed to.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of the mayor and citizens of Rochester, praying for the construction of a bridge across the Erie canal in the city of Rochester, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the construction and maintenance of a bridge over the Erie canal in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time and committed to the committee of the whole.

Mr. Conklin, from the committee on insurance companies, to which was referred the bill entitled, "An act to wind up the affairs of the Madison co. insurance company," reported that the committee had examined the said bill, made an amendment thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled, "An act in relation to the commutation of taxes in the county of Albany," reported adversely, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said report and resolution be laid on the table.

Mr. Benedict, from the committee on banks, to which was referred the petition authorising the Elmira mechanics' library association to receive deposits on same conditions as savings banks, reported adversely, and offered the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said report and resolution be laid on the table.

Mr. Benedict from the committee on the judiciary, to which was referred the bill entitled, "An act authorising boards of supervisors to use a seal, and making certified copies of their proceedings an evidence," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the petition of Ira Belden and others, for the incorporation of a sixpenny savings' bank, in the city of Rochester, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate a sixpenny savings' bank in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker presented the annual report of unclaimed dividends of the bank of Albany.

Mr. C. C. Leigh, from the select committee, to which was referred by resolution, the subject of a prohibitory liquor law, reported, and asked and obtained leave to bring in a bill entitled, "An act to suppress intemperance," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sessions offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, (if the Senate concur,) That twenty thousand copies of the report of the select committee on the prohibitory liquor law, be printed for the use of the Legislature.

Ordered, That the said resolutions be referred to the committee on public printing.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolution in the words following, to wit:

Resolved, (if the Assembly concur,) That 4,000 copies of the report of the Superintendent of the Bank Department be printed for the use of the Senate and Assembly, and 500 additional copies for the use of said Superintendent.

Ordered, That said resolution be referred to the committee on public printing.

The Senate bill entitled "An act for the incorporation of companies formed to navigate the waters of Lake George by steamboats," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{	AYES	76	}
{	NOES	2	}

Those who voted in the affirmative are,

Aitken	Chesebro	Graham	Litt'e John	Rose
Bailey	Cook	Harpur	Mather	Rowland
Baker	Conkling	Hinkley	May	Sessions
Backus	Coat	Holdridge	McGraw	Speaker
R. J. Baldwin	Crocheron	HoweH	McMurray	Stephens
S. Baldwin	Dewey	Hoyle	Mills	Thorn
Barrow	A. A. Dunlop	Hull	S. F. Miller	Ward
Beers	R. Dunlap	Mat. Hutchinson	Mitchell	Ware
Benedict	Edwards	Mos. Hutchinson	Morris	Weed
Bergen	Ferguson	Jenkins	Noble	Willson
Boardman	Fiero	Joy	Palmer	Wilder
Bostwick	Freeman	Kirkland	Payne	Willis
Brant	German	J. Lee	Preston	Winne
Burgess	Gibbs	Legg	Richards	J. S. Wood
Burnett	Gott	C. C. Leigh	Robertson	W. H. Wood
Case				

78

Those who voted in the negative are,

Peters

Seeley

2

Ordered, That the clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

Mr. Ward, in behalf of Mr. Cumming, gave notice that he would, at some future day, introduce a bill for the submission of the principle of a prohibitory liquor law to the people at the special election, to vote upon the constitutional amendments.

Mr. Suffern gave notice that he would, at some future day, ask leave to introduce a bill to enable the Newark Lime and Cement Manufacturing company, to hold and convey real estate in this State.

In pursuance of previous notice, Mr. Mather asked, and obtained leave to bring in a bill entitled "An act to extend the time for the collection of taxes in the county of Otsego, for the year 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. S. Baldwin asked and obtained leave to introduce a bill, entitled "An act to improve Grass river, in St. Lawrence co., for floating timber and logs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. S. Baldwin asked and obtained leave to bring in a bill entitled "An act to aid the construction of the Pierpont, Fine and Watson road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Cushman asked and obtained leave to introduce a bill entitled "An act to incorporate the Newburgh Industrial Savings bank," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Kinney offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, That the committee on colleges, academies and common schools, be directed to inquire into the expediency of the passage of a law, associating town superintendents with one or more of the trustees of the several districts for the purchase of books for district libraries.

Resolved, That the same committee inquire whether some farther legislation may not be necessary, during the present session, for the greater improvement of our common school system, and especially to consider the suggestions in the report of the Hon. S. S. Randall, to the Legislature of 1852.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

Mr. Burnett offered, for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on ways and means, be instructed to bring in a bill to provide for the building or purchase of a suitable mansion for the Governor of the State.

Ordered, That said resolution be laid on the table.

On motion of Mr. Cook,

Mr. Hollenbeck obtained leave of absence until Wednesday next.

In pursuance of previous notice, Mr. Lezler offered an amendment to the 2d standing rule of this House, by inserting after the word "business," the words "which shall not in any case be departed from, except by the unanimous consent of the House."

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

On motion of Mr. Tuttle,

The House proceeded to the consideration of the communications and resolutions heretofore offered, in the words following, to wit :

At a meeting of the Canal Board, the following preamble and resolutions were offered by Mr. Spaulding, and were unanimously adopted.

Whereas, Grants of the public lands for building railroads, canals, and other public purposes, have been made by Congress to western states and territories, to a large amount, and several other propositions are now pending for still further grants to be made for similar purposes,

That this Board recognizes the principle that all the States have a right to participate in a fair distribution of the public lands, upon just and equitable terms, if such distribution is to be made ; yet as the policy has, to some extent prevailed, and may still further be adopted by Congress, to grant such lands for in-

ternal improvements and other public purposes, the enlargement of the Erie canal, in which so many of the western States are interested, is an object worthy of consideration in any such distribution;

Resolved, That this Board deem it expedient and proper, that the Legislature make an application to Congress on behalf of the State of New-York, for a grant of a portion of the public lands to aid in the enlargement of the Erie canal, if grants are made to other States for similar objects;

Resolved, That a copy of the foregoing preamble and resolution be furnished by the clerk of this Board to the Senate and Assembly, and their speedy action upon it be respectfully requested.

Resolved, (If the Senate concur,) That the Legislature of this State unite with the Canal Board in an application to Congress for a grant of a portion of the public lands, to aid in the enlargement of the Erie canal, if grants are made to other States for similar objects.

Resolved, That copies of the foregoing preamble and resolutions be forwarded to our Senators and Representatives in Congress.

Mr. Littlejohn moved that said communication and resolutions be referred to the committee on canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Littlejohn, and it was determined in the affirmative.

By unanimous consent,

Mr. Martin gave notice that he would at an early day ask leave to introduce a bill to provide for the levying of tolls upon the Hudson river and Harlem railroad companies.

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That when this House adjourns, it adjourn to meet on Monday at 3 o'clock p. m.

Mr. Scott moved to amend, by substituting Tuesday instead of Monday.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Scott, and it was determined in the negative.

Mr. Bergen moved to amend so as to provide that when the House adjourns, it adjourn to meet on Monday next at 12 o'clock a. m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the negative.

The House then resolved itself into a committee of the whole

for the consideration of the Governor's message, and of the resolutions heretofore offered by Mr. D. P. Wood.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Peters, from said committee, reported progress and asked and obtained leave to sit again.

Mr. Speaker announced a message from the Governor, transmitting to the House the annual report of the Inspector General of the Militia of the State of New-York.

Mr. May offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 3,000 extra copies of the report of the Inspector General of the Militia be printed for the use of the Legislature, and 300 copies for the Inspector General.

Ordered, That said resolution be referred to the committee on public printing.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act allowing the inhabitants occupying lands on the line of the Callicoon and Cohecton turnpike company to be assessed for highway labor upon said turnpike," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to toll gates on the Fredonia and Sinelairville plank road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. J. Lee,

The House, at five minutes past one o'clock, p. m., adjourned.

MONDAY, JANUARY 16, 1854.

House met pursuant to adjournment.

The minutes of Saturday were read and approved.

Mr. Mallory, member elect from the 2nd Assembly district of Ontario county, appeared, was sworn by the Speaker, and took his seat.

Mr. Hinkley presented the remonstrance of citizens of Oneida county, against changing the route of the Sackets Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Dewey presented the petition of Menzo Wheeler, collector of taxes in the town of Lyme, Jefferson county, to have the time extended within which the taxes in said town are to be collected, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Backus presented the memorial of Dr. Wm. Turner of New-York, (formerly Health Commissioner,) against legalizing the dissection of the dead bodies of the poor and friendless, which was read and referred to the committee on medical societies.

Mr. Lozier presented two several petitions of citizens of Allegany, Steuben and Livingston counties, for the erection of a new county from parts of said counties, which were read and referred to the committee on erection and division of towns and counties.

Mr. Payne presented the petition of citizens of Rochester and its vicinity, for the incorporation of companies to navigate the canals, which was read and referred to the committee on commerce and navigation.

Mr. Littlejohn presented the petition of citizens of Oswego, asking the passage of a general act for the incorporation of navigation companies, which was read and referred to the committee on commerce and navigation.

Mr. Stephens presented three several petitions of the inhabitants of the counties of Allegany and Steuben, asking for a new county from parts of said counties, which were read and referred to the committee on erection and division of towns and counties.

Mr. Williams presented the petition of 17 citizens of Corning, for a new county from Steuben, called "Canisteo," which was read and referred to the committee on erection and division of towns and counties.

Mr. Gleason presented the remonstrance of citizens of Fulton county against any alteration of the articles of association of the Sackets Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Speaker presented the petition of Messrs. Taylor & Waterman, for a law authorising the payment for the carpet furnished for the Assembly chamber, which was read and referred to the committee on expenditures of the house.

Mr. Mallory presented the petition of the trustees of "Hobart Free College," for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Palmer, from the committee on public printing, to which was referred the resolution from the Senate, in the words following, to wit:

Resolved, (if the Assembly concur,) That 4,000 copies of the report of the Superintendent of the Bank Department, be printed for the use of the Senate and Assembly, and 500 copies additional for the use of the said Superintendent, reported in favor of adopting the same as amended, so as to read as follows:

Resolved, (if the Assembly concur,) That in addition to the copies ordered by the Assembly, there be 500 copies of the report of the Superintendent of the Bank Department for the use of the Superintendent.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the Assembly to transmit to that body, the papers in relation to the claim of W. G. Barnhart and others.

Ordered, That the Clerk transmit said papers to the Senate.

On motion of Mr. Mitchell,

Leave of absence was granted to Mr. Benedict until Thursday next.

Mr. S. Baldwin, from the committee on claims, to which was referred the bill entitled "An act for the relief of Thomas Canavan, Thomas Sausse, James Brady and Hugh Kelly," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented a communication from the Superintendent of Common Schools, transmitting the annual report of the Hon. Henry S. Randall, late Superintendent, and the documents accompanying the same, which was read and referred to the committee on colleges, academies and common schools.

Mr. Case gave notice that he would, at an early day, ask leave to introduce a bill authorising the formation of town insurance companies.

Mr. Barrow gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the police department in the city and county of New-York.'"

Mr. Dewey gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of Lyme, Jefferson county.

In pursuance of previous notice, Mr. Thorne asked and obtained leave to introduce a bill entitled, "An act to amend article 5, title 3, chapter 7, part 3 of the Revised Statutes, relating to perpetuating testimony," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mat. Hutchinson asked, and obtained leave to bring in a bill entitled "An act to provide for the taxation of the stock of incorporated companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In pursuance of previous notice, Mr. Suffern asked and obtained leave to bring in a bill entitled "An act to enable the New-York lime and cement manufacturing company, to hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That four thousand extra copies of the annual report of the Comptroller be printed for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Peters,

Resolved, That the committee on claims, in the first instance, before proceeding to investigate or decide on a claim, require of all claimants, a statement in writing of the respective claims, specifying each and every item of the claim, and the amount of damages set opposite each item, and the gross amount of such claims. And the said committee are hereby, in addition to such other evidence as they may deem necessary, required to demand from each claimant before proceeding to the investigation of the claim, an affidavit of such claimant that such statement is in all respects true, and that such claimant has sustained damages to the amount of such claim; and all bills introduced or reported upon by such committee shall contain a provision requiring the hearing or adjudication authorised by the bill to be on the account or statement thus presented; and that this resolution be printed the same as a bill and placed on the files of the Assembly.

Mr. Burnet called up for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on ways and means, be instructed to bring in a bill to provide for the building or purchase of a suitable mansion for the Governor of the State.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Kinney offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That three thousand extra copies of the Superintendent's report on common schools be printed for the use of the Legislature, five hundred copies for the Superintendent, and one copy for each school district in the State.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Richards called up for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) that a special committee of five be appointed: three to be appointed by the House, and two by the Senate, with full power to examine the books and papers under the control and management of the ten governors of the almshouse, of the city and county of New-York; also, to investigate the charges of whatever kind, if any, will be made against the wardens of said almshouse, keepers, deputies, clerks, &c., and report the result of their investigation to the present legislature, if practicable.

Mr. Barrow moved to lay the said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Barrow, and it was determined in the affirmative.

On motion of Mr. Joy,

Resolved, That the papers of Henry Rector be taken from the files and referred to the committee on claims.

Mr. Harris called up for the consideration of the House a preamble and resolutions in the words following, to wit :

Whereas, Grants of the public lands for purposes of internal improvements and various public purposes, have been made by Congress to certain western States to a large amount, and many applications for grants for rail roads, &c., are now pending ; .

And Whereas, In the grants, the rights of older States that have paid the greater part of the cost of the public lands are disregarded and virtually denied :

Therefore, Resolved, (If the Senate concur,) That our Senators be instructed and our Representatives in Congress be requested to oppose the system of partial and unequal legislation heretofore pursued in regard to grants of the public lands for public purposes ; and insist if farther grants of this kind are to be made, that they shall be made to all and not to a part of the States, to give equal benefits to all the States ;

Resolved, (If the Senate concur,) That our Senators and Representatives be requested if any grants of this kind are made to support some general and just measure asserting the principle contained in the bill known as "Bennett's bill" that all the States have an equal interest in the public lands, and should be equally regarded in grants made for all public purposes ;

Resolved, (If the Senate concur,) That a copy of these resolutions be sent to each of our Senators and Representatives in Congress.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The House then resolved itself into a committee of the whole for the consideration of the Governor's message, and of the resolutions heretofore offered by Mr. D. P. Wood.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn from said committee reported progress and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows, to wit :

"An act for the appraisement of damages of Tallcot, Hale and Garrison, in consequence of the loss of a canal boat."

"An act granting the consent of the State of New-York to the purchase, by the United States, of certain lands in the city of Oswego, for the purpose of the erection of a custom house, warehouse, post-office and court rooms, and ceding jurisdiction over the same."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Clinton, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Clinton, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Hall,

The House, at five to twelve o'clock, m., adjourned.

TUESDAY, JANUARY 17, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Dickson.

The minutes of yesterday were read and approved.

This being the day assigned by the rule for the consideration of the general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to procuring books of the reports and statutes of this State for the county of Oneida."

"An act to amend an act entitled 'An act to amend title six, of chap. seven, of part one, of the Revised Statutes,' passed July 18, 1853."

"An act to incorporate the Saratoga Lake bridge company."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilson, from said committee, reported that the committee had gone through said two first mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. Wilson, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the abandonment by the McConnellsville and Fish Creek plank road company of the whole or any part of their plank road."

"An act to enlarge the jurisdiction of the court of sessions of Kings county."

"An act to amend an act entitled 'An act in relation to jurors in the city of New-York,' passed June 30, 1853."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. P. Wood, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act authorising boards of supervisors to have a seal and make certified copies of their proceedings evidence in courts of justice."

"An act to amend an act to remove doubts concerning the corporation of the chamber of commerce, and to confirm the rights and privileges thereof, passed the 13th day of April 1784."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Sessions, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said first mentioned bill be engrossed for a third reading.

Ordered, That said second mentioned bill be read a third time.

Mr. McGraw presented the petition of inhabitants of Virgil, Cortlandt co., for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Weed presented the petition of citizens of Buffalo, for a law for the incorporation of companies to navigate the canals and other waters, which was read and referred to the committee on commerce and navigation.

Mr. Gleason presented the petition of 100 voters of the town of Wells, in Hamilton county, praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Gleason presented the petition of inhabitants of Fulton and Montgomery counties, praying for an amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Angle presented the petition of citizens of Rochester, for a law authorising the formation of incorporations to navigate the canals and waters of this State, which was read and referred to the committee on commerce and navigation.

Mr. Savage presented the petition of Emeline Kemp to change her name, which was read and referred to the committee on the judiciary.

Mr. Savage presented the petition of citizens of New-York, asking for the passage of a law to compel all the railroads in this State to lay double tracks, which was read and referred to the committee on railroads.

Mr. Barrow presented the petition of Joseph Archer for damages in repairing Champlain canal, which was read and referred to the committee on claims.

Mr. Gorham presented the petition of the inhabitants of the towns of New Paltz and Lloyd, in the county of Ulster, for an amendment of an act providing for the draining of the Black creek or Crozier swamp, chapter 320, passed June 4, 1853, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Speaker presented the 1st annual report of the board of managers of the North Western dispensary.

Mr. Savage presented the petition of Bartlett, Perry and others, merchants of New-York, for an act to provide for the incorporation of companies to navigate the lakes, rivers and canals of this State, which was read and referred to the committee on commerce and navigation.

Mr. Leigh presented the memorial of the religious society of friends in the State of New-York, and parts adjacent, on the subject of intemperance, which was read and committed to the committee of the whole.

Mr. Conkling presented the petition of the Protestant Episcopal Church missionary society for seamen in the city and port of New-York, for an amendment of their charter, which was read and referred to the committee on charitable and religious societies.

Mr. Conkling presented the memorial of the managers of the society for the reformation of juvenile delinquents, in reference to the completion of their building, which was read and referred to the committee on ways and means.

Mr. Boardman presented the petition of citizens of Utica, praying for a law authorising the incorporation of companies doing business on the canals and waters of the State, which was read and referred to the committee on commerce and navigation.

Mr. Clinton presented the petition of Wood, Grant, and other merchants of the city of New-York, for a law to incorporate companies to navigate the lakes, rivers and canals of this State, which was read and referred to the committee on commerce and navigation.

Mr. Littlejohn presented the petition of citizens of Oswego, for a general law for the incorporation of navigation companies, which was read and referred to the committee on commerce and navigation.

Mr. Mallory presented the petition of Cyrus Ellis, to repeal the law exempting ministers and priests from taxation, which was read.

On motion of Mr. Lozier,

Said petition was laid upon the table.

Mr. Hoyle from the committee on State prisons, to which was referred the resolutions of the board of supervisors of the county of Dutchess, praying for an act to authorise the confinement of persons convicted of certain offences in said county, in the penitentiary of the county of Albany, and to prescribe the punishment for certain offences, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the punishment of certain offences, when committed in Dutchess co., in the penitentiary of Albany, and to prescribe the punishment for certain offences," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the county of Otsego, for the year 1853," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the report of the Inspector General of militia, for the use of the Legislature, and 300 copies for the use of the Inspector General, reported that they have amended the said resolution, so as to read as follows :

Resolved, That 2,000 extra copies of the report of the Inspector General of the militia, be printed for the use of the Legislature, and 300 copies for the Inspector General.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 4,000 extra copies of the annual report of the Comptroller for the present use of this House, reported in favor of the passage of the same without amendment, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the report of the Adjutant General, for the use of the Legislature, and 500 for the use of the Adjutant General, reported in favor of the passage of the same without amendment, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the report of the Superintendent of Common Schools, for the use of the Legislature, 500 copies for the use of the Superintendent, and one copy for each school district in the State, reported in favor of the passage of the same, which report was agreed to.

Mr. S. Baldwin, from the committee on claims, to which was referred the bill entitled, "An act for the relief of Royal T. Alvord, for damages sustained by him by two breaks on the Erie canal, near Bushnell's basin," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the bill entitled, "An act for the relief of Thomas Wiltsie," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin from the committee on claims, to which was referred the bill entitled, "An act for the relief of John Brown, for damages sustained by him by two breaks on the Erie canal, near Bushnell's basin," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ware, from the committee on expenditures of the House, to which was referred the petition of Taylor and Waterman, praying for compensation for carpet furnished by them for the use of the Assembly chamber, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the payment of certain expenses of the Assembly chamber," which was read the first time, and by unanimous consent was also read the second time and committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the bill entitled, "An act to extend the time for a compliance of the Northern railroad company with the 2d section of the act of incorporation," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier moved to take from the table the report of the joint select committee appointed to revise the joint rules of the two Houses.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the adoption of said rules, and it was determined in the affirmative.

Ordered, That the clerk return the said rules to the Senate, with a message informing that they have passed the same without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to perfect an amendment of the Constitution providing means for the completion of the canals in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to repeal the charter of the Canaan and Union village turnpike road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled, 'An act to authorise the Monticello and Wurtzboro plank road company to purchase from

the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26th, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of the Lockport and Cambria plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act granting the consent of the State of New-York to the purchase by the United States, of certain lands in the city of Oswego, for the purposes of the erection of a custom house, warehouse, post office and court rooms, and ceding jurisdiction over the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, are

Adams	Chesebro	Harris	Mills	Sheeley
Angle	Clark	Hinkley	S. F. Miller	Sill
Aitken	Clinton	Hollenbeck	Morris	Stephens
Bailey	Cook	Howell	Munroe	Sterling
Baker	Conkling	Mat. Hutchinson	Noble	Suffern
Backus	Cost	Mos. Hutchinson	Odell	Thompson
R. J. Baldwin	Cumming	Jenkins	Palmer	Ward
S. Baldwin	Cushman	Kinney	Payne	Ware
Barrow	Dewey	Kirkland	Peters	Weed
Baucus	A. A. Dunlop	Lee	Preston	Whipple
Beers	R. Dunlap	Legg	Richardson	White
Bennett	Ferguson	Leigh	Robertson	Wilson
Bergen	Fiero	Littlefield	Rose	Wilder
Boardman	Freeman	Littlejohn	Savage	Williams
Boyd	Germain	Lozier	Scott	Winne
Brust	Gibbs	Mallory	Searing	D. P. Wood
Burgess	Gott	May	Seasons	J. S. Wood
Burnett	Hall	McGraw	Sharp	W. H. Wood
Case	Harpur			

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Conkling gave notice that he would at an early day ask leave to introduce a bill to amend the charter of the Protestant Episcopal church missionary society for seamen in the city and port of New-York.

Mr. Gorham gave notice that he would at an early day ask leave to introduce a bill for extending the time for the collection of taxes in the town of Wawarsing, Ulster county.

Mr. Cost gave notice that he would at an early day ask leave to introduce a bill to incorporate the Clifton springs water cure company.

Mr. Cumming gave notice that he would at an early day ask leave to introduce a bill to regulate the taking of recognizances in the city and county of New-York upon charges of felony, and to extend the provisions of the code of procedure to proceedings in forfeiture of the same.

Mr. Whitman gave notice that he would at an early day ask leave to introduce a bill to extend the time for the collection of taxes in the town of Lenox, Madison county.

Mr. Gibbs gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," passed April 7, 1848.

Mr. Searing gave notice that he would at an early day ask leave to introduce a bill making the office of wreck master in the counties of Kings, Queens, Suffolk and Westchester, elective by the people.

Mr. Gleason gave notice that he would at an early day ask leave to introduce a bill to amend the act entitled "An act in relation to plank roads," passed June 30, 1853.

Mr. Mallory gave notice that he would at an early day ask leave to introduce a bill to authorize the "West Bloomfield and Richmond plank road company" to erect a gate on their branch road, and within three miles of their present gates.

Mr. Cook gave notice that he would at an early day ask leave to introduce a bill to amend the charter of the village of Leroy.

Mr. Savage gave notice that he would at an early day ask leave to introduce a bill to reduce the dimensions of the Central park in the city of New-York.

Mr. Savage gave notice that he would at an early day ask leave to introduce a bill to incorporate a savings' bank to be called the Zoomingdale savings bank, and to be located in the city of New-York.

Mr. Savage gave notice that he would at an early day ask leave to introduce a bill to change the name of Emeline Kemp to Emma K. Cummings.

Mr. Williams gave notice that he would at an early day ask leave to introduce a bill for the erection of a new county from the south part of Steuben county, to be called the county of Canisteo, with the county buildings located in the town and village of Addison.

In pursuance of previous notice, Mr. Dewey asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Lyme, Jefferson county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Clark asked and obtained

leave to introduce a bill entitled, "An act to amend the act relating to divorces dissolving the marriage contract," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Clark asked and obtained leave to introduce a bill entitled "An act conferring power on the marine court in the city of New-York, to naturalize citizens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Clark asked and obtained leave to introduce in a bill entitled "An act amending chapter 2, section 210 of the code of procedure, entitled 'claim and delivery of personal property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Clark asked and obtained leave to introduce a bill entitled "An act conferring on the justices' of the marine court, and the justices' of the district court, in the city of New-York, jurisdiction in cases of proceedings supplementary to the execution, in all cases where judgments shall have been rendered in such courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. D. P. Wood presented the petition of John Bartlett and Harvey Stewart for payment of damages for the destruction of a canal boat by a breach in the canal, which was read and referred to the committee on claims.

By unanimous consent,

Mr. Williams presented the petition of 481 citizens of Addison, Jasper, Woodhull and Troupsburgh, for the creation of a new county from the south part of Steuben county, to be called "Canisteo," with county buildings located at Addison, which was read and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Hollenbeck asked and obtained leave to introduce a bill entitled "An act for the relief of the Albany, Schoharie and Rensselaerville plank road company," which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Littlejohn, from the committee on canals, to which was referred the Senate bill entitled "An act to perfect an amendment of the constitution, providing means for the completion of the canals of the state," reported in favor of the passage of the same without amendment, which report was agreed to and said bill was committed to the committee of the whole.

On motion of Mr. Littlejohn, and by unanimous consent,

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act to perfect an amendment of the Constitution, providing means for the completion of the canals of this State."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burnet, from said committee, reported in favor of the passage thereof without amendment.

Ordered, That said bill be read a third time.

Mr. Lozier, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to extend the time for collection of taxes in the town of Lyme, Jefferson county," reported in favor of the passage thereof without amendment.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Sessions,

The time for adjournment for this day, was extended to two o'clock, p. m.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to correct the assessment roll, and for the equalization and collection of taxes in the town of Jerusalem, in the county of Yates."

Mr. Speaker in behalf of the N. Y. S. Temperance Society, presented their application for the use of the Assembly chamber, for Tuesday evening, January 24th, 1854.

Ordered, That the said application be now considered.

On motion of Mr. Ward,

Ordered, That the use of the Assembly chamber be so granted.

On motion of Mr. D. P. Wood, the bill entitled "An act for the suppression of intemperance," was made the special order of the day for Wednesday, 25th inst., immediately after the reading of the journal.

On motion of Mr. Sterling,

The House, at five minutes to two o'clock, adjourned.

WEDNESDAY, JANUARY 18, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The minutes of yesterday were read and approved.

Mr. Mosely Hutchinson presented the memorial of Lewis Dwight, secretary, in favor of the Prison discipline society, which was read and referred to the committee on ways and means.

Mr. Gott presented the petition of Hiram Allen, for relief, which was read and referred to the committee on claims.

Mr. Germain presented the petition of the medical society of the county of Erie, asking the passage of a law legalizing the dissection of human bodies, &c.; which was read and referred to the committee on medical societies and colleges.

Mr. Weed presented the petition of citizens of Buffalo, for a law for the incorporation of companies to navigate the canals and other waters, which was read and referred to the committee on commerce and navigation.

Mr. Hatch presented the petition of sundry inhabitants of the town of Concord, county of Erie, praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Gleason presented the remonstrance of 260 inhabitants of Saratoga co., against the proposed change in the line of Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Gibbs presented the remonstrance of sundry inhabitants of the county of Livingston, against the division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. White presented the petition of citizens of Brookfield, Madison county, for a law to prevent intemperance, which was read and committed to the committee of the whole.

Mr. Payne presented the petition of Dr. Bowen and others, to discontinue the reservoir on the Erie canal, in the town of Brighton, in the county of Monroe, which was read and referred to the committee on canals.

Mr. Savage presented the petition of citizens of New-York, for the incorporation of the Bloomingdale savings bank, which was read and referred to the committee on banks.

Mr. Clinton presented the memorial of Thomas B. Perrich, P. Morris, John M. Robert, Thomas Harrison and others, merchants of the city of New-York, for an act to provide for the incorporation of companies to navigate the canals, rivers, and lakes of this State, which was read and referred to the committee on commerce and navigation.

Mr. Case presented the petition of the Waterville and Utica plank road company, for relief, which was read and referred to the committee on roads and bridges.

Mr. Benedict presented the petition of George Folts, for damages sustained by the Erie canal enlargement, which was read and referred to the committee on claims.

Mr. Munroe presented the petition of S. S. Wilcox, for relief, which was read and referred to the committee on claims.

Mr. Munroe presented the petition of W. W. Leister, for relief, which was read and referred to the committee on claims.

Mr. D. P. Wood presented the petition of Wm. B. Kirk, and Christine Harrover, administrators of the estate of Hiram Harrover, for relief, which was read and referred to the committee on grievances.

Mr. Littlejohn presented the petition of citizens of Oswego, for a general act of incorporation for navigating companies, which was read and referred to the committee on commerce and navigation.

Mr. Preston presented the petition of the citizens of Setauket, Suffolk county, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Joy presented the petition of citizens of the town of Lansing, for the repeal of the present military law, which was read and committed to the committee of the whole.

Mr. May presented the petition of M. L. Ross, for relief, in relation to a certain canal contract, which was read and referred to the committee on canals.

Mr. Littlefield presented the petition of citizens of the town of Ellisburgh, county of Jefferson, for an additional justice of the peace, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Barrow, from the committee on claims, to which was referred the petition of Hervey, Milton and George Brayton, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Hervey Milton, and George Brayton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mathias Hutchinson, from the committee on agriculture, to which was referred the bill entitled, "An act to improve the old State Hall, and to provide more suitable accommodations for the agricultural society of the State of N. Y.," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason who the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 20,000 extra copies of the report of the select committee on the subject of temperance, reported in favor of the passage of the same without amendment, which report was agreed to.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Littlejohn, from the committee on canals, to which was referred a resolution of the Canal Board, relative to the disposition of the public land, reported the following:

Whereas, the Canal Board of this State has adopted and forwarded to this Legislature, a preamble and resolutions, of which the following, are copies.

At a meeting of the Canal Board, the following preamble and resolutions were offered by Mr. Spaulding, and were unanimously adopted :

Whereas, Grants of the public lands for building railroads, canals, and other public purposes, have been made by Congress to western states and territories, to a large amount, and several other propositions are now pending for still further grants to be made for similar purposes,

That this Board recognizes the principle that all the States have a right to participate in a fair distribution of the public lands, upon just and equitable terms, if such distribution is to be made ; yet as the policy has, to some extent prevailed, and may still further be adopted by Congress, to grant such lands for internal improvements and other public purposes, the enlargement of the Erie canal, in which so many of the western States are interested, is an object worthy of consideration in any such distribution ;

Resolved, That this Board deem it expedient and proper, that the Legislature make an application to Congress on behalf of the State of New-York, for a grant of a portion of the public lands to aid in the enlargement of the Erie canal, if grants are made to other States for similar objects ;

Resolved, That a copy of the foregoing preamble and resolution be furnished by the clerk of this Board to the Senate and Assembly, and their speedy action upon it be respectfully requested.

Therefore, Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested, in case grants of land are made by Congress to aid the works of internal improvement in other States, to endeavor to procure a grant of a portion of the public domain to this State, to aid in the completion of its great works of internal improvement.

Resolved, (if the Senate concur,) That copies of the foregoing preamble and resolutions be transmitted by the Governor of this State, to the Senators and Representatives of this State, in the Congress of the United States.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

Mr. Conkling, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to repeal an act entitled, 'An act relative to the purchase and laying out of certain lands for a public park in the 19th ward of the city of New-York,' " reported in writing.

On motion of Mr. Conkling,

Said report and bill were laid on the table and ordered printed.

Mr. Speaker presented the annual report of the committee to

examine the Treasurer's accounts, and the Canal and Banking Departments, which was referred to the committee on ways and means.

Mr. Speaker presented the statement of the unclaimed dividends of the Albany city bank.

The bill entitled "An act to authorise the abandonment by the McConnelsville and Fish Creek plank road company, of the whole or any part of their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cook	Holdridge	Mills	Sessions
Angle	Crocheron	Hollenbeck	G. Miller	Sheeley
Bailey	Cumming	Hoyle	Mitchell	Sill
Backus	Cushman	Hull	Monfort	Smalley
R. J. Baldwin	A. A. Dunlop	Mat. Hutchinson	Morris	Speaker
S. Baldwin	R. Dunlap	Mos. Hutchinson	Nelson	Stephens
Barrow	Edwards	Kinney	Odell	Sterling
Baucus	Ferguson	Kirkland	Palmer	Suffern
Beers	Fiero	Lee	Payne	Underwood
Bergen	Freeman	Legg	Peters	Ward
Boardman	Gibbs	Leigh	Preston	Weed
Brust	Gleason	Littlefield	Richards	Wilson
Burnett	Gott	Lozier	Richardson	Wilder
Case	Hall	Mallory	Rowland	Winne
Chesebro	Harpur	Martin	Savage	D. P. Wood
Clark	Hatch	Mather	Searing	W. H. Wood
Clinton	Hinkley	May		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act, entitled 'An act to amend title six, of chapter seven, of part one of the Revised Statutes, passed July 18, 1853,' relative to the supply of the Legislature with stationery, knives, and newspapers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 74 }
{ NOES 22 }

Those who voted in the affirmative are,

Adams	Clinton	Hatch	Morris	Suffern
Angle	Conkling	Holdridge	Noble	Underwood
Aitken	Cost	Mat. Hutchinson	Palmer	Ward
Bailey	Crocheron	Legg	Preston	Ware

Baker	Cumming	Leigh	Rose	Weed
Backus	Dewey	Littlefield	Rowland	White
R. J. Baldwin	A. A. Dunlop	Littlejohn	Savage	Whitman
Barrow	R. Dunlap	Lozier	Sessions	Wilson
Barton	Edwards	Mallory	Seeley	Wilder
Benedict	Ferguson	Martin	Sharp	Willis
Bergen	Freeman	Mather	Sheeley	Winne
Brust	Gibbs	Mills	Sill	D. P. Wood
Burnett	Gorham	G. Miller	Speaker	J. S. Wood
Chesebro	Gott	Mitchell	Stephens	W. H. Wood
Clark	Harpur	Monfort	Sterling	74

Those who voted in the negative are,

S. Baldwin	Hall	Mos. Hutchinson	McGraw	Randall
Bennett	Hinkley	Kinney	Munroe	Scott
Case	Hollenbeck	Lee	Odell	Whipple
Cook	Howell	May	Peters	Williams
Fiero	Hoyle			22

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to jurors in the city of New-York,' passed June 30, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cumming	Howell	May	Sill
Angle	Cushman	Hoyle	McGraw	Smalley
Altken	Dewey	Hull	Mills	Stephens
Bailey	R. Dunlap	Mat. Hutchinson	L. Miller	Sterling
Baker	Edwards	Mos. Hutchinson	Monfort	Thompson
Backus	Ferguson	Jenkins	Morris	Ward
R. J. Baldwin	Fiero	Joy	Odell	Weed
S. Baldwin	Freeman	Kinney	Palmer	Whipple
Barrow	Gibbs	Kirkland	Peters	White
Beers	Gorham	Lee	Preston	Whitman
Bennett	Gott	Legg	Richardson	Wilson
Bergen	Hall	Leigh	Rowland	Wilder
Burnett	Harpur	Lozier	Savage	Winne
Case	Hinkley	Mallory	Searing	D. P. Wood
Conkling	Holdridge	Martin	Sessions	J. S. Wood
Cost	Hollenbeck	Mather	Seeley	W. H. Wood
Crocheron				81

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act authorising boards of supervisors to have a seal and making certified copies of their proceedings evidence in courts of justice," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows;

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Hull	L. Miller	Sharp
Aitken	Cushman	Mat. Hutchinson	Mitchell	Sheeley
Bailey	Dewey	Mos. Hutchinson	Morris	Sill
Beckus	A. A. Dunlop	Jenkins	Munroe	Speaker
R. J. Baldwin	R. Dunlap	Joy	Nelson	Stephens
S. Baldwin	Edwards	Kirkland	Odell	Sterling
Barrow	Fiero	Lee	Palmer	Suffern
Barton	Gibbs	Legg	Peters	Townsend
Beers	Gleason	Leigh	Richards	Ward
Bennett	Gott	Littlefield	Richardson	Ware
Bergen	Hall	Littlejohn	Rowland	Wilson
Burnett	Harpur	Mallory	Savage	Wilder
Case	Hatch	Martin	Scott	Winne
Clinton	Hinkley	Mather	Searing	D. P. Wood
Cook	Hollenbeck	May	Sessions	J. S. Wood
Conkling	Howell	McGraw	Seeley	W. H. Wood
Cost	Hoyle	Mills		

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enlarge the jurisdiction of the court of sessions of Kings co.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 05 }

Those who voted in the affirmative are,

Adams	Clark	Holdridge	Mather	Sill
Angle	Cook	Hollenbeck	May	Smalley
Aitkin	Conkling	Howell	McGraw	Speaker
Bailey	Crocheron	Hoyle	Mitchell	Stephens
Beckus	Cumming	Hull	Morris	Sterling
S. Baldwin	Cushman	Mos. Hutchinson	Nelson	Suffern
Barrow	Dewey	Jenkins	Noble	Ward
Barton	A. A. Dunlop	Kinney	Palmer	Weed
Beers	Edwards	Kirkland	Richardson	Whipple
Bennett	Fiero	Legg	Rose	Whitman
Bergen	Freeman	Leigh	Rowland	Wilson
Boardman	Hall	Littlefield	Scott	Willis
Boyd	Harpur	Littlejohn	Searing	Winne
Burst	Hatch	Lozier	Seeley	D. P. Wood
Burnett	Hinkley	Martin	Sharp	W. H. Wood
Case				

Those who voted in the negative are,

R. J. Baldwin	Mat. Hutchinson	Joy	Lee	Peters	5
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Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to remove doubts concerning the corporation of the chamber of commerce, and to confirm the rights and privileges thereof,' passed April 13, 1784," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Clinton	Holdridge	Mitchell	Sill
Angle	Cook	Hollenbeck	Monfort	Smalley
Aitkin	Conkling	Howell	Morris	Speaker
Bailey	Cost	Hull	Munroe	Stephens
Backus	Crocheron	Mat. Hutchinson	Nelson	Ward
R. J. Baldwin	Cumming	Jenkins	Noble	Ware
S. Baldwin	Cushman	Kinney	Odell	Wart
Barton	Dewey	Kirkland	Palmer	Weed
Beers	R. Dunlap	Lee	Peters	Whipple
Bennett	Edwards	Legg	Preston	White
Bergen	Ferguson	Leigh	Randall	Whitman
Boardman	Freeman	Littlefield	Rose	Wilson
Brust	Gibbs	Lozier	Rowland	Wilder
Burgess	Hall	Mallory	Savage	Willis
Burnett	Harpur	Mather	Searing	Williams
Case	Hatch	May	Sessions	Winne
Chesebro	Hinkley	McGraw	Sharp	W. H. Wood
Clark				

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Littlejohn moved that the bill from the Senate entitled "An act to perfect an amendment of the Constitution providing means for the completion of the canals of this State," be now put upon its third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Littlejohn, and it was determined in the affirmative, two-thirds of the members present voting in favor thereof, in accordance with the 9th joint rule.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 115 }
{ NOES 01 }

Those who voted in the affirmative are,

Adams	Clinton	Holdridge	G. Miller	Sill
Angle	Cook	Hollenbeck	Mitchell	Smalley

Altkan	Conkling	Howell	Monfort	Speaker
Bailey	Cost	Hoyle	Morris	Stephens
Baker	Crocheron	Hull	Munroe	Sterling
Backus	Cumming	Mat. Hutchinson	Nelson	Suffern
R. J. Baldwin	Cushman	Mos. Hutchinson	Noble	Thompson
S. Baldwin	Dawson	Jenkins	Odell	Underwood
Barrow	Dewey	Joy	Palmer	Ward
Barton	A. A. Dunlop	Kinney	Peters	Ware
Bancus	R. Dunlap	Kirkland	Preston	Wart
Beers	Edwards	Lee	Randall	Weed
Benedict	Ferguson	Legg	Richards	Whipple
Bennett	Fiero	Leigh	Richardson	White
Bergen	Freeman	Littlefield	Rose	Whitman
Boardman	Gibbs	Littlejohn	Rowland	Wilson
Boyd	Gleason	Lozier	Savage	Wilder
Brust	Gorham	Mallory	Scott	Willis
Burgess	Gott	Martin	Searing	Williams
Burnett	Hall	Mather	Sessions	Winne
Cass	Harpur	May	Seeley	D. P. Wood
Chesebro	Hatch	McGraw	Sharp	J. S. Wood
Clark	Hinckley	Mills	Sheeley	W. H. Wood 116

For the negative,

S. F. Miller

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Rose Hill savings bank, in the city of New-York

Mr. Mosley Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to amend part 1, chapter 13, title 2, article 2 of the Revised Statutes, relative to assessment and taxation of real estate.

Mr. Mosley Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to enlarge the powers of boards of supervisors.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Commissioners of the Land Office to sell certain lands.

Mr. Mallory gave notice that he would, at an early day, ask leave to introduce a bill for the relief of Hobart Free college, at Geneva.

Mr. Brust gave notice that he would, at an early day, ask leave to introduce a bill to amend section two of an act entitled "An act to equalize taxation, passed May 13, 1846."

Mr. Littlejohn gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to amend an act to authorise the city of Oswego to take stocks in railroads, and to sell its bonds to provide for the payment thereof, passed May 27, 1853."

In pursuance of previous notice, Mr. Conkling asked and obtained leave to bring in a bill entitled "An act to amend the charter of the Protestant Episcopal Church Missionary society for

seamen, in the city and port of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Savage asked and obtained leave to bring in a bill entitled "An act to incorporate the Bloomingdale savings bank in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to regulate the taking of recognizances in the city and county of New-York, upon charges of felony, and to extend the provisions of the code of procedure to proceedings in forfeiture of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act further to amend an act entitled 'An act to incorporate the firemen of the village of Brooklyn,' passed April 16, 1823," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Ware asked and obtained leave to introduce a bill entitled "An act in relation to the duties of police justices, and their clerks and officers of police courts in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. D. P. Wood asked and obtained leave to introduce a bill entitled "An act to authorise Wm. Brown to convey a part of lot No. 2, in block No. 150, in the city of Syracuse, belonging to Egbert Brown, an infant, held in trust by Wm. Brown, his father," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to erect a new county to be called Canisteo, out of part of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

Mr. Lozier offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk be authorized to supply each of the pages with a pocket knife.

Ordered, That said resolution be referred to the committee on expenditures of the house.

Mr. Burnett offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 3,500 extra copies of the report of the joint committee, appointed by the last Legislature, to examine the Treasurer's accounts, and the Canal, and Banking departments, be printed for the use of the Legislature, and 300 for the committee.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Gibbs,

Resolved, That the papers placed upon the files of the last House relating to the claim of the Mohawk and Stockbridge Indians to certain lands in the State of New-York, be taken from said files and referred to the standing committee on Indian affairs.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Benedict,

Resolved, That the report of the committee on banks, in relation to the commutation of taxes in the city of Albany, be taken from the table and referred back to said committee.

Mr. Munroe called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Senate be requested to return to this House, the resolution offered by Mr. Savage, in relation to the purchase of Mount Vernon.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

{ AYES 28 }
{ NOES 80 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Collins	Moa. Hutchinson	May	Sterling
Backus	Conkling	Joy	Mitchell	Weed
Benedict	Harpur	Lozier	Munroe	Wilder
Boyd	Howell	Mallory	Peters	Winne
Case	Hoyle	Martin	Richardson	D. P. Wood
Cheebro	Mat. Hutchinson	Mather		

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Those who voted in the negative are,

Angle	Crocheron	Hinkley	Monfort	Sheeley
Aiken	Cumming	Holdridge	Morris	Sill
Baker	Cushman	Hollenbeck	Noble	Smalley
S. Baldwin	Dawson	Hull	Odell	Speaker
Barrow	Dewey	Jenkins	Palmer	Stephens
Barton	R. Dunlap	Kinney	Payne	Suffern
Baucus	Edwards	Kirkland	Preston	Thompson
Beauregard	Ferguson	Lee	Randall	Ward
Berga	Fiero	Legg	Richards	Ware
Beardman	Gibbs	Leigh	Rose	Wart
Brant	Gleason	Littlefield	Rowland	White
Burgess	Gorham	Littlejohn	Savage	Whitman
Clark	Gott	McGraw	Scott	Wilson
Clinton	Hall	Mills	Searing	Willis

Cook
Cost

Harris
Hatch

G. Miller
L. Miller

Sessions
Seeley

Williams
W. H. Wood 80

On motion of Mr. Mitchell,

Resolved, That the claim papers of Joseph Willis, and others, be taken from the files of this House, and referred to the committee on claims.

Mr. Case moved that the bill entitled "An act in relation to procuring books of the reports and statutes of this State for the county of Oneida," be recommitted to the Oneida delegation.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Case, and it was determined in the affirmative.

On motion of Mr. Fiero,

Leave of absence was granted to Mr. Robertson until next Tuesday.

On motion of Mr. Weed,

Resolved, That the bill entitled "An act to incorporate the Saratoga lake bridge company," be recommitted to the committee on roads and bridges.

Mr. Morris offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That G. J. Beebe, Esq., be allowed the use of the Assembly chamber on Monday evening, January 23, for the purpose of delivering a lecture.

Ordered, That said resolution be laid on the table.

On motion of Mr. Gott,

Resolved, That all papers on file as to the claim of Hiram Allen, be taken from the files and referred to the committee having his petition in charge.

Mr. Benedict called up the resolutions heretofore offered by him proposing an amendment to the Constitution, concerning bribery at elections.

On motion of Mr. R. J. Baldwin,

Said resolutions were laid on the table, and ordered to be printed.

Mr. Richards offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk be authorised to furnish the members, clerks and reporters of the House with a Red book, for legislative use.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Ward offered for the consideration of House a preamble and resolution in the words following, to wit:

Whereas, The select committee on the subject of temperance, reported a bill to prevent the sale of spirituous liquors, excepting for mechanical or medicinal purposes; and whereas, there are other evils of like character, equally requiring legislative action; therefore,

Resolved, That it be referred to said committee to enquire into the propriety of including ———, and tobacco, under the provisions of said bill.

Ordered, That said resolution be laid on the table.

On motion of Mr. Conkling,

The hour of adjournment for this day, was indefinitely postponed.

Mr. Dewey offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on privileges and elections have permission to proceed to the town of Antwerp, in Jefferson co., to make the necessary examination in the case of Mr. Alden Adams, whose seat is contested by Mr. Jesse E. Willis.

Pending debate on said resolution,

On motion of Mr. Hatch, the House, at ten minutes past two o'clock, p. m. adjourned.

THURSDAY, JANUARY 19, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The minutes of yesterday were read and approved.

Mr. Speaker announced the first business in order to be the consideration, as a privileged question, of the resolution which the House had under consideration at the adjournment yesterday, in the words following, to wit:

Resolved, That the committee on privileges and elections have permission to proceed to the town of Antwerp, in Jefferson co., to make the necessary examination in the case of Mr. Alden Adams, whose seat is contested by Jesse E. Willis.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker then announced the special order, it being general orders.

The House then resolved itself into a committee of the whole on the Senate bills entitled as follows, to wit:

"An act to wind up the business and affairs of the Madison co. mutual insurance company."

"An act to incorporate the Sixpenny savings bank in the city of Rochester."

"An act to extend the time for the collection of taxes in the town of Lyme, Jefferson county."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Peters, from said committee, reported in favor of

the passage of said first mentioned bill; with an amendment, which report was agreed to, and said bill was ordered to a third reading.

Mr. Peters, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

Mr. Peters, from said committee, reported in favor of the passage of said second mentioned bill, which report was agreed to, and said bill was ordered engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act concerning appeals."

"An act to authorise the construction and maintenance of a bridge across the Erie canal in the city of Rochester, county of Monroe."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to, and said bills were ordered engrossed for a third reading.

Mr. Hollenbeck presented a remonstrance of forwarders of the city of Albany, against any change in the line of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. R. J. Baldwin presented a remonstrance of the supervisor of the town of Oxford, against a law to levy a tax upon said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Palmer presented a remonstrance against the passage of a bill in relation to the Fredonia and Sinclairville plank road company, which was read and referred to the committee on roads and bridges.

Mr. Gleason presented two remonstrances of inhabitants of Fulton co., against any alteration in the line of the Sacketts Harbor and Saratoga railroad, which were read and referred to the committee on railroads.

Mr. Hinckley presented the remonstrance of citizens of Oneida co., against changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Peters presented the petition of the trustees of the First Congregational society of Batavia, to change their name, which was read and referred to the committee on charitable and religious societies.

Mr. Lee presented the petition of 298 persons, voters of the town of Cortland, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Burnet presented the petition of sundry inhabitants of Essex and Clinton counties, for an appropriation to improve the navigation of the Great Ausable river, in the county of Essex,

which was read and referred to the committee on commerce and navigation.

Mr. Odell presented the petition of sundry citizens of New Rochelle, Westchester co., praying for a law to prohibit the sale of intoxicating drinks as a beverage, which was read and committed to the committee of the whole.

Mr. Sill presented a resolution of the supervisors of Erie co., for an amendment of the law passed April 26, 1846, 'providing for the confinement of convicts in the Erie county penitentiary,' which was read and referred to the committee on State Prisons.

Mr. Sessions presented a resolution of the board of supervisors of Chautauque co., to make the office of county clerk a salaried office, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. May presented the petition of inhabitants of Allegany co., praying for the passage of a law authorising the construction of a feeder to the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. Collins presented a petition praying for the erection of a bridge across Black river, in the town of Turin, Lewis co., which was read and referred to the committee on canals.

Mr. Germain presented the petition of a number of depositors in the Buffalo Savings bank, asking the Legislature to pass a law authorising said bank to receive deposits to the amount of \$1,000,000, which was read and referred to the committee on banks.

Mr. R. J. Baldwin presented the petition of the board of supervisors of Chenango county, for a law to levy a tax upon the town of Oxford, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Hatch presented the petition of 118 persons of Concord, Erie co., praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Gorham presented the petition of inhabitants of Wawarsing, Ulster co., praying for a law prohibiting the sale of intoxicating drinks, which was read and committed to the committee of the whole.

Mr. Hatch presented the petition of sundry inhabitants of the towns of Eden and Evans, Erie co., praying for an amendment of the poor laws, so as to allow each town to support its own poor, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Clinton presented a memorial for medals for the commanders of the three vessels used in the rescue of the passengers on the San Francisco, and for an appropriation of ten thousand dollars to the N. Y. Life Saving Benevolent Association, which was read and referred to the committee on commerce and navigation.

Mr. Ferguson presented a resolution of the board of supervisors of Franklin county, praying for the passage of a law authorising the election of a local officer in said county, to execute the

powers and duties of a county judge in certain cases, which was read and referred to the committee on the judiciary.

Mr. Gibbs presented two remonstrances against the division of the county of Livingston, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Littlejohn presented the petition of citizens of Oswego, asking the passage of a general law for the incorporation of navigation companies, which was read and referred to the committee on commerce and navigation.

Mr. Ferguson presented a petition of the town of Fort Covington, in the county of Franklin, for aid to erect a new bridge across the St. Regis river, on the Indian reservation, in said county, which was read and referred to the committee on roads and bridges.

Mr. D. P. Wood presented the petition of citizens of Syracuse, for a law to enable them to straighten the Onondaga creek in said city, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Baker presented the petition of Lewis Germain for canal damages, which was read and referred to the committee on claims.

Mr. Joy presented the petition of inhabitants of the town of Lansing, for the repeal of the present military law, which was read and committed to the committee of the whole.

Mr. Cumming presented the petition of E. M. Harrison, & Co., and other merchants of New-York city, for incorporated companies to navigate the canals, lakes and rivers of this State, which was read and referred to the committee on commerce and navigation.

Mr. Hull presented the petition of the board of supervisors of the county of Montgomery, for the repeal of an act entitled "An act in relation to highways and bridges in said county, passed July 21, 1850," which was read and referred to the committee on roads and bridges.

Mr. Ware presented the petition of people of New-York city, to make the office of chief of police, elective by the people, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Sill presented a resolution of the board of supervisors of Erie co., for a modification of the act for the preservation of the public health, which was read and referred to the committee on medical societies and colleges.

Mr. Sill presented a resolution of the board of supervisors of Erie co., for an increased compensation to jurors in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Case presented the petition of trustees of Hamilton college for relief, which was read and referred to the committee on colleges, academies, and common schools.

Mr. R. Dunlap presented a memorial of A. S. Porter and others, for the improvement of the Niagara river, near Niagara Falls, which was read and referred to the committee on canals.

Mr. Edwards presented the remonstrance of sundry inhabitants of Rensselaer county, against a change of location of Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Clinton presented the petition of J. B. Austin, and other merchants of the city of New-York, for an act to provide for the incorporation of companies to navigate the canals and waters of this State, which was read and referred to the committee on commerce and navigation.

Mr. Benedict presented the petition of William Bull for relief, which was read and referred to the committee on claims.

Mr. Boyd presented the remonstrance of Mary Brown, against the petition of John O. Brien, which was read and referred to the committee on the petitions of aliens.

Mr. Harris presented the memorial of three citizens of Chenango co., complaining of unequal practices in regard to the weight and sales of domestic produce, which was read and referred to the committee on trade and manufactures.

Mr. Palmer presented a resolution of the board of supervisors of Chautauque county, asking that the office of county clerk be made a salaried office, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Benedict presented the petition of sundry inhabitants of Oneida co., for an appropriation to fill up the old canal at Oriskany, which was read and referred to the committee on canals.

Mr. Benedict presented the petition of inhabitants of Oneida co., for an appropriation to improve the waters of West Canada creek, which was read and referred to the committee on commerce and navigation.

• Mr. Searing presented the petition of Mary Moreland, in relation to escheated lands in the county of Warren, which was read and referred to the committee on the petitions of aliens.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to authorise the Watervliet plank road company to abandon that portion of their road lying within the bounds of the corporation of West Troy, and to amend their charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to the Williamsburgh and Cypress Hill plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to promote medical science," which was read the first time, and by unanimous consent was also read the second time,

and referred to the committee on medical societies and colleges.

"An act to confirm the title of William O. Buchanan, to certain lands in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to divide the 6th judicial district of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' as far as the same relates to the village of Tonawanda, in the counties of Erie and Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act for the appropriation of five hundred dollars to repair the road across the Onondaga Indian reservation passed July 18, 1853,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A resolution was received from the Senate in the words following, to wit:

Resolved, That our Senators and Representatives in Congress be requested to secure for the State of New-York, in the event that Congress shall make grants of land for purposes of education, internal improvements, or other public purposes, such a distribution of the national domain or the proceeds thereof, as this State is entitled to by its population, its claims upon the general government as one of the oldest States of the Union, its liberal endowment of schools and colleges, and the large demands upon its treasury for works of public utility and private charity.

Ordered, That said resolution be laid on the table.

Mr. Speaker presented the reply of James Fury, street commissioner of the city of New-York, to a resolution of the Assembly, which was read and referred to the committee on the incorporation of cities and villages.

Mr. D. P. Wood presented the annual report of the superintendent of the Onondaga salt springs, which was read and referred to the committee on the manufacture of salt.

Mr. D. P. Wood offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That there be printed of the report of the superintendent of the Onondaga salt springs, 2,500 extra numbers for the use of the Legislature, 1,000 for the use of said superintendent, and 300 for the use of Professor Cook.

Ordered, That said resolution be referred to the committee on public printing.

The Senate returned the resolution in relation to printing the report of the Superintendent of the Bank Department, with a

message that they had concurred in the amendments of the Assembly to the same, which amendment provided for the printing of 500 copies of said report for the use of the Superintendent.

The Senate returned the concurrent resolution in relation to printing the report of the Comptroller, with a message that they adhered to their amendment to the same.

Mr. Lozier moved that the House do not recede from their amendment.

Mr. Ward moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative.

Mr. Bergen gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act in relation to weights and measures, passed April 11, 1850."

Mr. Benedict gave notice that he would, at some future day, ask leave to introduce a bill to amend the act authorising the formation of corporations for manufacturing, mining and mechanical purposes.

Mr. Cumming gave notice that he would at an early day, ask leave to introduce a bill relative to the construction of railroads in cities.

Mr. May gave notice that he would at an early day, ask leave to introduce a bill for the relief of the Genesee river plank road company.

Mr. Bailey gave notice that he would at an early day, ask leave to introduce a bill authorising the Canal Board to hear and determine the claim of Washington Thurber, Warren Mills and Benjamin A. Towner, for damages sustained by the sinking of a canal boat.

Mr. D. P. Wood gave notice that he would at an early day, ask leave to introduce a bill for the straightening of the Onondaga creek.

In pursuance of previous notice, Mr. Whitman asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Lenox, Madison county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Mosely Hutchinson, asked and obtained leave to bring in a bill entitled "An act to amend part 1st, chapter 13, title 2, article 2, section 15 of the Revised Statutes, in relation to assessment and taxation of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mosely Hutchinson, asked and obtained leave to introduce a bill entitled "An act to enlarge the powers of boards of supervisors," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to incorporate the Rose Hill savings bank, in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Mallory asked and obtained leave to introduce a bill entitled "An act for the relief of Hobart free college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Brust asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to equalize taxation,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide for the establishment of schools on the Cattaraugus and Allegany reservations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

In pursuance of previous notice, Mr. Searing asked and obtained leave to introduce in a bill entitled "An act to release the interest of the State, in certain lands to Mary Moreland, being an alien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petition of aliens.

In pursuance of previous notice, Mr. Gibbs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York,' passed April 7, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Gorham asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Wawarsing, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Littlefield asked and obtained leave to introduce a bill entitled "An act to authorise the First Methodist Episcopal society, of the town of Adams, to sell and convey a portion of their real estate," which was read the first time, and by unanimous consent was also read the second

time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Gleason asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act in relation to plank roads,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Ware moved to take from table the report of the select committee consisting of the New-York delegation, on the Jones' wood park bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ware and it was determined in the affirmative.

Mr. Ware offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the resolution to lay on the table, and print the report of the select committee on the Jones' wood park bill, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said motion to print, and it was determined in the negative.

Mr. Aitken moved that the report and bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitken and it was determined in the affirmative.

On motion of Mr. Case,

Resolved, That the papers in the case of Henry Jordan, transmitted by the Senate to this House, be referred to the standing committee on Indian affairs.

On motion of Mr. Odell,

Leave of absence was granted to Mr. Noble, until Tuesday next.

Mr. Bennett offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the petition and papers of Allen W. Horton, praying compensation for the loss of a canal boat, be taken from the committee on canals and referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Benedict,

Resolved, That the papers and documents in relation to the claim of William Bull for relief, be taken from the files of this House and referred to the committee on claims.

Mr. Palmer moved that the resolution in relation to bribery at elections, be taken from the table and referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Palmer, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the unfinished business, being the annual message of the Governor.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Littlejohn, from said committee, reported progress and asked and obtained leave to sit again.

On motion of Mr. Chesebro,
The House, at half-past one o'clock, adjourned.

FRIDAY, JANUARY 20, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of yesterday were read and approved.

On motion of Mr. Lozier,

Resolved, That the standing committee on privileges and elections, have power to send for persons and papers in the case of the contested election from the 3d Assembly district of New-York city.

Mr. Littlefield, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows, to wit:

"An act concerning appeals."

"An act to authorise the construction and maintenance of a bridge over the Erie canal in the city of Rochester."

"An act to incorporate the Sixpenny Savings bank of the city of Rochester."

Ordered, That said bills do have their third reading.

Mr. Mosely Hutchinson presented the memorial of the board of supervisors of the county of Cayuga, in relation to assessment and taxation of real estate, which was read and referred to the committee on the judiciary.

Mr. Mosely Hutchinson presented a memorial of the directors of the Huron Springs plank road company, praying for an amendment of their charter, in relation to tolls thereon, which was read and referred to the committee on roads and bridges.

Mr. McGraw presented the remonstrance of 80 inhabitants of Cortland co, against submitting the Maine law to the people, which was read and committed to the committee of the whole.

Mr. Randall presented two petitions of voters of the town of Elmira, in the county of Chemung, praying for a division of said town, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Odell presented the petition of sundry citizens of Lewis, Westchester co., praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Conkling presented a memorial from the N. Y. Temperance alliance upon the same subject, which was read and committed to the committee of the whole.

Mr. Benedict presented the petition of sundry inhabitants of Oneida co., for the incorporation of companies doing business on the canal, which was read and referred to the committee on commerce and navigation.

Mr. Boardman presented the petition of Alva Whedon and others, for relief, which was read and referred to the committee on canals.

Mr. May presented a petition of inhabitants of Allegany co., praying for the passage of a law authorising the construction of a feeder on the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. D. P. Wood presented a petition of the Onondaga Indians in relation to their schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act conferring power on the Marine Court of the city of New-York." Also, "An act to render more perfect and equitable the laws of escheats," reported, and asked to be discharged from the further consideration of said bills, and that the same be referred to the committee on the judiciary, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts, passed July 19, 1853," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the title of William O. Buchanan to certain lands in the county of Niagara," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the relief of the Port Richmond and Freshkills plank road company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to repeal the charter of the Canaan and Union Village turnpike road company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act in relation to toll gates on the Fredonia and Sinclairville plank road," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the bill entitled "An act to provide for the appraisal and payment of canal damages to Thomas Goodsell," reported that committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to duties of police justices and their clerks, and the officers of police courts in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the First Congregational society of Batavia, praying for a change of name, reported, and asked and obtained leave to introduce a bill entitled "An act to change the name of the First Congregational society of Batavia," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the United States Inebriate asylum for the reformation of the poor and destitute inebriate," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Littlejohn, from the committee on canals, to which was

referred the petition of M. L. Ross, for relief in relation to certain canal contracts, reported in favor of the following resolution :

Resolved, That the committee on canals be discharged from the further consideration of the petition, and that it be referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict, from the committee on the judiciary, to which was referred the bill entitled "An act to elect an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to authorise the New-York and Erie Bank to change its place of business," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend chapter 172, Laws of 1826, entitled 'An act to incorporate the Ovid academy, and for other purposes,' passed April 13, 1826," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Newburgh Industrial Savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Bloomingdale Savings bank in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The bill entitled "An act to authorise the construction and maintenance of a bridge over the Erie canal in the city of Rochester, county of Monroe," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Howell	Morris	Stephens
Aitken	Collins	Mat. Hutchinson	Munroe	Sterling
Bailey	Conkling	Mos. Hutchinson	Nelson	Suffern
Backus	Cumming	Jenkins	Odell	Thorn
R. J. Baldwin	Cushman	Kirkland	Palmer	Underwood
S. Baldwin	Dawson	Lee	Preston	Ward
Barrow	R. Dunlap	Legg	Randall	Ware
Baucus	Edwards	Leigh	Richards	Wart
Beers	Fiero	Littlejohn	Richardson	Weed
Bennett	Freeman	Lozier	Rowland	White
Bergen	Germain	May	Scott	Whitman
Boardman	Gibbs	McGraw	Sessions	Wilder
Boyd	Graham	McMurray	Seeley	Willis
Brust	Hall	Mills	Sharp	Williams
Burnett	Harpur	G. Miller	Sill	Winne
Case	Hatch	L. Miller	Smalley	D. P. Wood
Chesebro	Hinkley	S. F. Miller	Speaker	W. H. Wood
Clark	Hollenbeck			

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act concerning appeals," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Graham	Mills	Sill
Aitken	Burnett	Harpur	L. Miller	Smalley
Bailey	Case	Hatch	Morris	Speaker
Baker	Chesebro	Hollenbeck	Munroe	Stephens
Backus	Clark	Howell	Nelson	Suffern
B. J. Baldwin	Conkling	Hull	Odell	Thorn
S. Baldwin	Cumming	Mos. Hutchinson	Palmer	Ward
Barrow	Cushman	Jenkins	Preston	Ware
Barton	R. Dunlap	Kinney	Randall	Weed
Baucus	Edwards	Kirkland	Richards	Whitman
Beers	Fiero	Legg	Richardson	Wilder
Benedict	Freeman	Leigh	Scott	Williams
Bennett	Germain	Mallory	Sessions	Winne
Bergen	Gibbs	Martin	Sharp	D. P. Wood
Boardman	Gleason	McGraw	Sheeley	W. H. Wood
Brust	Gott			

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to wind up the business and affairs of the Madison County Mutual Insurance Company," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Brust	Graham	Mills	Sterling
Aiken	Burgess	Hall	L. Miller	Suffern
Bailey	Case	Harpur	Morris	Thorn
Baker	Chesbro	Hiskley	Munroe	Underwood
Backus	Clark	Hollenbeck	Nelson	Ward
R. J. Baldwin	Clinton	Hoyle	Odell	Ware
S. Baldwin	Conkling	Hull	Palmer	Weed
Barrow	Cumming	Mat. Hutchinson	Richards	White
Barton	Dawson	Jenkins	Richardson	Whitman
Bancus	R. Dunlap	Kirkland	Scott	Willis
Beers	Edwards	Legg	Sessions	Williams
Benedict	Fiero	Littlejohn	Sharp	Winne
Bennett	Germain	Lozier	Sheeley	D. P. Wood
Bergen	Gibbs	Mallory	Sill	W. H. Wood
Boardman	Gleason	May	Speaker	74

Those who voted in the negative are,

Burnett	Howell	Seeley	Stephens	4
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Stephens gave notice that he would at an early day ask leave to introduce a bill to erect a new county from parts of Steuben and Allegany.

Mr. Moseley Hutchinson gave notice that he would at an early day ask leave to introduce a bill to amend the Union Springs plank road charter, in relation to tolls thereon.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill to amend the act in relation to plank and turnpike roads.

Mr. Graham gave notice that he would at an early day ask leave to introduce a bill to give to the mayor and common council of the city of New-York the power to widen West street, in said city, to 150 feet, from the intersection of the 10th avenue to the Battery.

Mr. R. Dunlap gave notice that he would at an early day ask leave to introduce a bill for the improvement of Niagara river near Niagara Falls.

Mr. Nelson gave notice that he would at an early day ask leave to introduce a bill to change the name of William S. Winslow, of Ballston, Saratoga county, to the name of William S. Waterman.

Mr. Lee gave notice that he would at an early day ask leave to

introduce a bill to establish a ferry between Sing Sing and Rockland lake, in the counties of Westchester and Rockland.

Mr. Baucus gave notice that he would at some future day ask leave to introduce a bill to amend the plank road law.

Mr. Baucus gave notice that he would at an early day ask leave to introduce a bill to allow the Saratoga and Hadley plank road company to increase their number of gates.

In pursuance of previous notice, Mr. Lozier asked and obtained leave to bring in a bill entitled "An act to authorise the sales of real estate to be published in Assembly districts," which was read the first time, and by nnanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Bergen asked and obtained leave to introduce a bill entitled "An act in relation to the Brooklyn city railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Bergen asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'an act in relation to weights and measures,' passed April 11th, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to bring in a bill entitled "An act to provide for the conveyance of land in specific performance of a contract by a party deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mallory asked and obtained leave to introduce a bill entitled "An act to authorise the West Bloomfield and Richmond plank road company to erect an additional toll gate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. May asked and obtained leave to introduce a bill entitled "An act to confirm an assessment of fifty per cent on the amount subscribed to the capital stock of the Genesee river plank road company, for the payment of the debts of said company, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Littlejohn asked and obtained leave to introduce a bill entitled "An act to authorise the city of Oswego to take stock in railroads, and to sell its bonds to provide for the payment thereof, passed May 27th, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. D. P. Wood asked and ob-

tained leave to introduce a bill entitled "An act providing for the straightening of the Onondaga creek and draining certain low lands near the southerly bounds of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Lozier,

Resolved, That the committee of the whole be discharged from the further consideration of the Governor's message, and the resolutions on the same, which were referred to said committee, and that the same be considered by this House.

Mr. Hinkley offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That when this House adjourns to day, it do adjourn to Monday of next week, 12 o'clock M.

Mr. Benedict moved to amend said resolution by substituting 3 o'clock p. m., for 12 o'clock M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

Mr. Lozier offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (if the Senate concur,) That thirty extra copies of the Comptroller's report be printed for the use of each member of the Legislature, and officers entitled to receive the same.

Ordered, That said resolution be laid on the table.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act for the relief of the Lockport and Cambria plank road company," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the Monticello and Wartsboro plank road company, to purchase from the Newburgh and Cochection turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Benedict,

Resolved, That the petition and papers of Clogher and Johnson, be taken from the files and referred to the committee on claims.

Mr. Lozier called up for the consideration of the House, resolutions in the words following, to wit:

Resolved, That so much of the annual message of the Governor as relates to banks, banking associations and currency, be referred to the committee on banks.

Resolved, That so much thereof as relates to canals, be referred to the committee on canals.

Resolved, That so much thereof as relates to the revenues, debt and expenditures of the State, be referred to the committee on ways and means.

Resolved, That so much thereof as relates to the encroachments upon the New-York harbor, be referred to the committee on commerce and navigation.

Resolved, That so much thereof as relates to colleges, academies and common schools, be referred to the committee on colleges, academies and common schools.

Resolved, That so much thereof, as relates to asylums for idiots, lunatics, and to institutions for the blind, and the deaf and dumb, be referred to the committee on State charitable institutions.

Resolved, That so much thereof as relates to the abuse of foreign immigrants, the code of procedure and the modification of the usury and criminal laws, be referred to the judiciary committee.

Resolved, That so much thereof as relates to houses of refuge, prisons and jails, be referred to the committee on State prisons.

Resolved, That so much thereof as relates to militia and militia laws, be referred to the committee on militia and public defence.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

The committee of the whole then resumed the consideration of the unfinished business, being the bill entitled "An act to extend the time for the collection of taxes, in the town of Lyme, Jefferson county."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to extend the time for a compliance of the Northern railroad company with the second section of their act of incorporation."

"An act for the relief of Hervey, Milton, and George Brayton."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Odell, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act for the relief of the Port Richmond and Freshkill plank road company."

"An act to repeal the charter of the Canaan and Union Village turnpike company."

"An act in relation to toll gates on the Fredonia and Sinclairville plank road."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lozier, from said committee, reported progress on said first and third mentioned bills, and asked and obtained leave to sit again.

Mr. Lozier also reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows, to wit :

"An act for the relief of the Lockport and Cambria plank road company."

"An act for the relief of Thomas Canavan, Thomas Sausse, and Hugh Kelly."

"An act to amend an act entitled 'An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Conkling, from said committee, reported progress on the first and third mentioned bills, and asked and obtained leave to sit again.

Mr. Conkling also reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Cumming,

At half-past one o'clock, the House adjourned.

MONDAY, JANUARY 23, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Hague.

The minutes of Friday, the 20th inst., were read and approved.

Mr. Jenkins presented the petition of inhabitants of Allegany co., praying for the passage of a law authorising the construction of a feeder, to the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. Harpur presented the petition of Michael Rush, asking to be paid by the State for the loss of a boat on the Chenango canal, in 1852; also, three affidavits, which were read and referred to the committee on claims.

Mr. Harpur presented the petition of 44 ladies of Triangle and Binghamton, in favor of the passage of the Maine law, which was read and committed to the committee of the whole.

Mr. Sessions presented the petition of inhabitants of Chautauque co., asking for the passage of a law incorporating companies for the navigation of canals, rivers and lakes, of this State, which was read and referred to the committee on commerce and navigation.

Mr. Bergen presented a petition from the trustees of the Williamsburgh dispensary, for relief, reducing the number necessary to constitute a quorum for the transaction of business, which was read and referred to the committee on charitable and religious societies.

Mr. Case presented the remonstrance of 75 citizens of Oneida co., against the abandonment of part of the Waterville and Utica plank road, which was read and referred to the committee on roads and bridges.

Mr. Case presented the remonstrance of 140 citizens of Oneida co., against the abandonment of the Waterville & Utica railroad, which was read and referred to the committee on railroads.

Mr. Williams presented the petition of 145 citizens of the town of Addison, asking for a new county from parts of Steuben co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Littlejohn presented the petition of the Oswego and Rome railroad company, for privilege to abandon a part of their road, which was read and referred to the committee on roads and bridges.

Mr. A. A. Dunlop presented the petition of sundry inhabitants of West Troy, asking for a navigable feeder to the Genesee Valley canal, from the village of Belfast, to the village of Wellsville, which was read and referred to the committee on canals.

Mr. Gibbs presented the remonstrance of J. Kirshum, and other inhabitants of the county of Livingston, against a division of said

county; also, the remonstrance of sundry inhabitants of Livingston co., on the same subject, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Gibbs presented the petition of Sally Chamberlain Carr, for damages which she has sustained by reason of the construction of the Genesee Valley canal across her lands, which was read and referred to the committee on claims.

Mr. Bailey presented the petition of 160 voters of the village of Corning, Steuben co., for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Sharp presented the memorial of Sigismund Kaufmann and others, praying for the passage of an act to incorporate the Turner society of the city of New-York, under the name of the "Turnverein," which was read and referred to the committee on charitable and religious societies.

Mr. Harpur presented the petition of 78 inhabitants of the town of Triangle, in Broome co.; asking for the passage of a Maine law, which was read and committed to the committee of the whole.

Mr. Winne presented two several petitions of sundry inhabitants of Schenectady co., asking for the passage of a Maine law, which were read and committed to the committee of the whole.

Mr. Speaker presented the annual report of the Buffalo Trust Company, which was read and referred to the committee on banks.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the incorporation of companies to navigate lakes, rivers, and canals," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

(*See Ass. Doc. No. .*)

Mr. Conkling, from the committee on insurance companies, to which was referred the bill entitled "An act in relation to the Fulton Insurance Company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to authorise the Ogdensburgh Marine railway company to borrow money and issue bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to permit the Cazenovia and Chittenango turnpike company to abandon a portion of their road, and to make chapter 626 of the Session laws of 1863 applicable to said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to regulate the salary of the district attorney of the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison, by Zalmon J. McMaster and Jacob T. Merritt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hall raised the point of order that no quorum was present.

Mr. Speaker directed the Clerk to call the roll of members; whereupon it appeared by such call that the following members, being a majority of all the members elected, were present:

Adams	Chesebro	Harpur	Littlejohn	Speaker
Aiken	Clinton	Harris	McGraw	Stephens
Bailey	Cook	Hatch	McMurray	Sterling
Baker	Conkling	Hollenbeck	L. Miller	Underwood
R. J. Baldwin	Cushman	Howell	Monfort	Ware
Barton	A. A. Dunlop	Hull	Munroe	Whipple
Benedict	R. Dunlap	Mat. Hutchinson	Nelson	Wilder
Bennett	Edwarda	Mos. Hutchinson	Odell	Willis
Bergen	Fiero	Jenkins	Randall	Williams
Boardman	Germain	Joy	Rose	Winne
Brust	Gibbs	Lee	Rowland	D. P. Wood
Burnett	Gleason	Legg	Sessions	J. S. Wood
Care	Hall	Leigh	Sharp	W. H. Wood 65

On motion of Mr. Sessions,

By unanimous consent,

The House passed to the order of business of presentation of resolutions.

Mr. Clinton offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That two thousand extra copies of the report of the State engineer and Surveyor, relative to grants of land under water near New-York, be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Sessions offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That on and after Wednesday next, and until the bill for the suppression of intemperance is disposed of, the House take a recess from a quarter before two o'clock p. m. until four o'clock p. m., and that such afternoon sessions be devoted exclusively to the consideration of said bill.

Debate was had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. Lee,

Leave of absence was granted to Mr. Smalley for one week.

On motion of Mr. Cushman,

Leave of absence was granted to Mr. Thompson for three days.

On motion of Mr. Bergen,

Leave of absence was granted to Mr. Crocheron until Wednesday.

On motion of Mr. Edwards,

Resolved, That the papers relating to a claim of Ebenezer Prescott, be taken from the files of the House and referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Edwards, and it was determined in the affirmative.

Mr. D. B. Ward offered for the consideration of House a preamble and resolutions in the words following, to wit:

Whereas, Efforts are being made to procure the passage of an act of Congress to organize the territory of Nebraska, with such provisions as will permit the existence of human slavery therein; and

Whereas, In the judgment of this Legislature the passage of such an act would not only be inconsistent with the Constitution of the United States and the Declaration of Independence, but would also be a manifest violation of the Missouri Compromise; Therefore be it

Resolved, By the Legislature of the State of New-York, (if the Senate concur,) that we solemnly protest against the passage of any act for the organization of the territory of Nebraska which shall not expressly exclude the institution of human slavery from said Territory.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to make every effort to prevent the passage of such an act.

Resolved, (if the Senate concur,) That the Governor be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

Ordered, That said preamble and resolutions be laid on the table.

Mr. Bergen gave notice that he would at an early day ask leave to introduce a bill for the relief of the Williamsburgh dispensary.

Mr. Stevens gave notice that he would at an early day ask leave to introduce a bill incorporating a company to supply the village of Howard, in the county of Steuben, with pure and wholesome water.

Mr. Hatch gave notice that he would at an early day ask leave to introduce a bill to increase the compensation of jurors in the court of record of the county of Erie.

Mr. Hatch gave notice that he would at an early day ask leave

to introduce a bill conferring further duties and powers upon the courts of oyer and terminer of this State.

Mr. Sharp gave notice that he would at an early day ask leave to introduce a bill to incorporate the "Turnverein," in the city of New-York.

In pursuance of previous notice, Mr. Stephens asked and obtained leave to introduce a bill entitled "An act regulating the fare of way travel on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill entitled "An act to amend article fourth, title first, part first of the Revised Statutes of this State in relation to laying out of highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to extend the time for a compliance of the Northern railroad company with the second section of their act of incorporation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Case	Gleason	Legg	Speaker
Aitken	Chesebro	Hall	Leigh	Stephens
Bailey	Clinton	Harpur	McGraw	Sterling
Baker	Cook	Harris	McMurray	Underwood
R. J. Baldwin	Conkling	Hatch	L. Miller	Ware
Barton	Cumming	Hollenbeck	Monfort	Whipple
Benedict	Cushman	Howell	Munroe	Whitman
Bennett	A. A. Dunlop	Hull	Odell	Willis
Bergen	R. Dunlap	Mat. Hutchinson	Randall	Williams
Boardman	Edwards	Mos. Hutchinson	Rose	Winne
Brust	Fiero	Jenkins	Rowland	D. P. Wood
Burgess	Germain	Joy	Sessions	J. S. Wood
Burnett	Gibbs	Lee	Sharp	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House then resolved itself into a committee of the whole, on the following entitled bills :

"An act for improving the Old State Hall, for the better arranging of the Cabinet of Natural History, and for the accommodation of the New-York State Agricultural Society and its Agricultural Museum."

"An act to provide for the payment of certain expenses of the Assembly chamber ;"

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Rose, from said committee, reported that the committee had gone through with said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Rose, from said committee, reported that the committee had gone through with said second mentioned bill, and agreed to the same with amendments, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Burnet asked and obtained leave to introduce a bill entitled "An act for the protection of gas light companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Session moved that the House now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Session, and it was determined in the negative.

On motion of R. J. Baldwin, and by unanimous consent,

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act in relation to the Fulton Insurance company;"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gibbs, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

On motion of Mr. Benedict, and by unanimous consent,

The bill entitled "An act to extend the time for the collection of taxes in the several cities and towns in this State, with certain exceptions, for 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Case	Hall	Littlejohn	Speaker
Bailey	Chesebro	Harpur	McGraw	Stephens
Baker	Clinton	Harris	McMurray	Sterling
R. J. Baldwin	Cook	Hatch	L. Miller	Underwood
S. Baldwin	Conkling	Hollenbeck	Monfort	Ware
Barton	Cumming	Howell	Munroe	Whipple
Benedict	Dewey	Hull	Nelson	Whitman
Bennett	R. Dunlap	Mat. Hutchinson	Odell	Willie
Bergen	Edwards	Mos. Hutchinson	Palmer	Williams
Boardman	Fiero	Jenkins	Rose	Winne
Brat	Germain	Joy	Rowland	D. P. Wood
Burgess	Gibbs	Lee	Sessions	J. S. Wood
Burnett	Gleason	Leigh	Sharp	W. H. Wood 65

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Collins,

At fifteen minutes past six o'clock, p. m., the House adjourned.

TUESDAY, JANUARY 24, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Dyer.

The minutes of yesterday were read and approved.

Mr. Speaker presented a communication from the executive committee of the New-York State Temperance alliance, inviting the members of this House to attend the semi-annual meeting of said society, to be held in the Assembly chamber this evening, at half-past six o'clock.

This being the day prescribed by the rules for general orders, the House went into committee of the whole upon the following entitled bills:

"An act in relation to the duties of police justices and their clerks and the officers of police courts in the city of New-York."

"An act to change the name of the First Congregational society of Batavia."

"An act to provide for an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cumming, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Cumming also reported that the committee had gone through said second and third mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. Littlefield, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows; to wit:

"An act to extend the time for the collection of taxes for 1853, in the cities and towns of this State, with certain exceptions."

"An act to provide for an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson."

"An act to change the name of the First Congregational society of Batavia."

"An act for the relief of the Port Richmond and Fresh Kill plank road company."

"An act to provide for the payment of certain expenses of the Assembly chamber."

"An act for the relief of Hervey, Milton, and George Brayton."

The House then went into committee of the whole on the unfinished business, being the consideration of the Senate bill, entitled "An act to confirm the title of William O. Buchanan, to certain lands in the county of Niagara."

Also, the bill entitled "An act for the relief of the Port Richmond and Freshkill plank road."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Hull, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Hull, reported that the committee had gone through said second mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the Senate bills entitled as follows, to wit:

"An act for the relief of the Lockport and Cambria plank road company."

"An act to amend an act entitled 'An act to authorise the Monticello and Wurtsboro' plank road company, to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Richards, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Richards, from said committee, reported progress on said second mentioned bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for improving the Old State Hall, for the better arranging of the Cabinet of Natural History, and for the accommodation of the New-York State Agricultural society and its agricultural museum."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Richards, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Peters moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

Debate was had thereon, when

The hour of three-quarters past one o'clock, having arrived, Mr. Speaker declared the House adjourned.

WEDNESDAY, JANUARY 25, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Hague.

The minutes of yesterday were read and approved.

Mr. Speaker announced the special order of the day, being the consideration of the bill entitled "An act for the suppression of intemperance."

On motion of Mr. Backus, and by unanimous consent,

The Senate bill entitled "An act in relation to the Fulton Insurance Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative, are

Adams	Cook	Hollenbeck	L. Miller	Speaker
Angle	Conkling	Howell	S. F. Miller	Stephens
Bailey	Cost	Hull	Mitchell	Sterling
Baker	Cumming	Mat. Hutchinson	Monfort	Suffern
Backus	Cushman	Jenkins	Munroe	Underwood
S. Baldwin	Dewey	Joy	Nelson	Ward
Baucus	R. Dunlap	Kinney	Odell	Weed
Beers	Ferguson	Kirkland	Palmer	Whipple
Benedict	Fiero	Lee	Payne	Whitman
Bergen	Freeman	Legg	Peters	Wilson
Boardman	Germain	Leigh	Randall	Wilder
Boyd	Gibbs	Littlefield	Richardson	Willis
Brust	Gleason	Mallory	Robertson	Winne
Burgess	Hall	May	Rowland	D. P. Wood
Burnett	Harpur	McGraw	Savage	J. S. Wood
Case	Hinkley	McMurray	Searing	W. H. Wood
Clinton	Holdridge	Mills	Sharp	84

For the negative,

Seeley

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

By unanimous consent,

Mr. Stephens asked and obtained leave to bring in a bill entitled "An act to incorporate the Howard water works company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Speaker again announced the special order of the day, being the consideration of the bill entitled "An act for the suppression of intemperance."

By unanimous consent,

Mr. Dewey, from the minority of the select committee to which was referred the aforesaid bill, reported adversely to the passage of said bill, in writing.

Ordered, That said report be committed to the committee of the whole.

(See Ass. Doc. No. 20.)

On motion of Mr. Sessions, and by unanimous consent,

Resolved, That this House take a recess a quarter before two o'clock, and until seven o'clock p. m., hereafter, (Saturdays excepted,) for the consideration of the bill for the suppression of intemperance, at such evening sessions, except that this evening, the regular order of business shall be considered, unless otherwise ordered.

Mr. Morris offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That 4000 extra copies of the report of the minority committee on the act for the suppression of intemperance, be printed for the use of the House.

Ordered, That said resolution be referred to the committee on public printing.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act for the suppression of intemperance."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress, and asked and obtained leave to sit again.

The hour of one and three-quarters o'clock p. m., having arrived, the House took a recess till 7 p. m.

SEVEN O'CLOCK, P. M.

The House again met.

Mr. Chesebro presented the petition of G. A. Wolverton & Co., Tucker, Crawford & Co., A. & M. Strong, and others, praying for the passage of a law that the Sacketts Harbor and Saratoga railroad may go through Warren and Essex counties, which was read and referred to the committee on railroads.

Mr. May presented the petition of sundry inhabitants of Allegheny county, praying for the passage of a law authorising the construction of a feeder to the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. Collins presented the petition of sundry inhabitants of the county of Lewis, praying for the passage of a law requiring the construction of a canal bridge over the Black river, between the towns of Martinsburgh and Greig, which was read and referred to the committee on canals.

Mr. Gibbs presented four several remonstrances of citizens of

Livingston county, against the division of that county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Gleason presented the remonstrance of the lumber dealers, forwarders, and other citizens of Troy, against any change of articles of association of the Sacketts Harbor and Saratoga railroad company, which was read and referred to the committee on railroads.

Mr. Dawson presented the remonstrance of the Irish Emigrant Society, New York, against the passage of a bill entitled "An act to promote medical science," which was read and referred to the committee on medical societies.

Mr. Littlejohn presented the petition of sundry citizens of Oswego, asking the passage of a general act for the incorporation of navigation companies, which was read and committed to the committee of the whole.

Mr. Edwards presented the petition of A. K. Hadley, of Troy, and 46 others, praying for an act allowing the Sacketts Harbor and Saratoga railroad to go through Warren and Essex counties, which was read and referred to the committee on railroads.

Mr. Baucus presented the petition of sundry citizens of Saratoga county, on the same subject, which was read and referred to the committee on railroads.

Mr. Burgess presented the petition of Leonard Lewis, praying for relief in consequence of canal damages, which was read and referred to the committee on claims.

Mr. Richardson presented the petition of Jabez Lewis and others, for canal damages, which was read and referred to the committee on canals.

Mr. Payne presented the petition of Ira Bellows and others, that the Pittsford plank road company have authority to erect an additional gate, which was read and referred to the committee on roads and bridges.

Mr. Germain presented the petition of the corporation and faculty of the medical department of the Buffalo University, asking an appropriation for said University, which was read and referred to the committee on ways and means.

Mr. Mather presented the petition of Daniel Jenks, of the town of Burlington, for a law to change the name of two adopted children, which was read and referred to the committee on the judiciary.

Mr. Monfort presented the petition for the relief of the Poughkeepsie and Stormville plank road company, which was read and referred to the committee on roads and bridges.

Mr. Angle presented the petition of sundry citizens of Monroe county, praying for a law to authorize the Savings Bank of Rochester to distribute the income of the surplus funds among the orphan asylums of that city, which was read and referred to the committee on banks.

Mr. Whitman presented the petition of sundry inhabitants of

the town of Lenox, to be authorised to raise money for road purposes, which was read and referred to the committee on the internal affairs of towns and counties.

Also the petition of sundry inhabitants of Oneida Depot, for the passage of a law to incorporate a plank road company, which was read and referred to the committee on roads and bridges.

Mr. Conkling presented the remonstrance of the German Society of the city of New-York, relative to the bill now before the Legislature entitled "An act to promote medical science," which was read and referred to the committee on medical societies.

Mr. Ward presented a petition to prohibit the use of tobacco, except for medicinal purposes, with an act for that purpose.

Mr. Graham moved that this petition be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Graham, and it was determined in the negative.

Said petition was then committed to the committee of the whole having charge of the bill for the suppression of intemperance.

Mr. Hull presented the remonstrance of sundry citizens of Saratoga county, against any alteration in the charter or articles of association of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Hinckley presented the petition of certain citizens of Herkimer county, in relation to the Mohawk and Newport plank road company, which was read and referred to the committee on roads and bridges.

Mr. Sessions presented the remonstrance of the county judge, and others, of Livingston county, against the division of the same, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Gott presented a remonstrance against the repeal of the charter of the Canaan and Union village turnpike company, which was read and laid on the table.

Mr. Savage presented a petition of citizens of the city of New-York, in favor of electing the chief of police by the people, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Speaker presented the petition of John Townsend, and others of Albany, praying for the early passage of the bill for the relief of the Sacketts Harbor and Saratoga railroad company, which was read and referred to the committee on railroads.

Mr. Speaker presented the petition of 100 mechanics of Albany, praying for the passage of the Maine law, which was read and committed to the committee of the whole.

Mr. Angle presented the petition of inhabitants of Monroe co., praying for the passage of a law authorising the construction of a feeder to the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. Bailey presented the petition of sundry citizens of Steuben co., praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Noble presented eight several petitions of sundry inhabitants of Warren co., praying for the early passage of a law allowing the Sacketts Harbor and Saratoga railroad to go through Warren and Essex counties, which were read and referred to the committee on railroads.

Mr. Noble presented 18 several petitions on the same subject, which were read and referred to the committee on railroads.

Mr. Stephens presented 5 several petitions from several towns in Steuben co., asking for the formation of a new county out of parts of Steuben and Allegany counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. D. P. Wood presented the petition of 556 citizens of Syracuse, for the removal of certain salt works in the 5th ward of Syracuse, which was read and referred to the committee on the manufacture of salt.

Mr. Mathias Hutchinson presented a petition for an act to authorise the clerk of Cayuga co., to record certain filed deeds in his office, which was read and referred to the committee on the judiciary.

Mr. Harris presented the petition of several citizens of Milford, for the relief of Elihu C. Wright, which was read and referred to the committee on the judiciary.

Mr. Weed presented the remonstrance of citizens of Buffalo, against any alteration of the charter of the Buffalo Savings bank, which was read and referred to the committee on banks.

Mr. Harpur presented four several petitions of citizens of Broome co., praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Neilson presented the petition of citizens of the town of Halfmoon, Saratoga co., for the passage of the several acts therein named, which was read and referred to the committee of the whole having charge of the bill for the suppression of intemperance.

Mr. Leigh presented the petition of 1000 citizens of N. Y. city, praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. G. Miller presented the petition of 106 women of Suffolk co., on the same subject, which was read and committed to the committee of the whole.

Mr. Joy presented the memorial of the traveling and local ministers of the Methodist Episcopal church, in Central New-York, praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Odell presented the petition of sundry inhabitants of New-Rochelle, Westchester co., on the same subject, which was read and committed to the committee of the whole.

Mr. Hollenbeck presented the petition of 100 voters of the town of Rensselaerville, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Whitman presented the petition of citizens of Madison co., on the same subject, which was read and committed to the committee of the whole.

Mr. White presented the petition of citizens of Madison co., on the same subject, which was read and committed to the committee of the whole.

Mr. C. C. Leigh presented three several petitions of citizens of New-York, on the same subject, which were read and committed to the committee of the whole.

Mr. Cumming presented the petition of sundry citizens of N. York, on the same subject, which was read and committed to the committee of the whole.

Mr. Germain presented the petition of the East river and Temperance watch club of New-York, on the same subject, which was read and committed to the committee of the whole.

Mr. Angle presented the petition of citizens of Monroe co., on the same subject, which was read and committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,500 extra copies of the report of the joint committee appointed by the last Legislature to examine the Treasurer's accounts, and the Canal and Banking Departments, and 300 copies for the use of the committee, reported for the consideration of the House, a resolution in the words following, to wit :

Resolved, That 3,500 extra copies of the report of the joint committee appointed by the last Legislature to examine the Treasurer's accounts, and the Canal and Banking Departments, be printed for the use of the Legislature, and 300 for the use of the committee.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 2,000 extra copies of the report of the State Engineer and Surveyor, in relation to grants of land under water, near New-York, reported in favor of amending the same by substituting 1,500 for 2,000.

Mr. Clinton moved to amend by substituting 2,000 for 1,500.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said report, as amended, and it was determined in the affirmative.

Said resolution being in the words following, to wit :

Resolved, That 2,000 extra copies of the report of the State Engineer and Surveyor, relative to grants of land under water, near New-York, be printed for the use of the Assembly.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 2,500 extra copies of the report of the Superintendent of the Onondaga salt springs, for the use of this House, 1,000 for the use of the Superintendent, and 300 for the use of Prof. Cook, reported for the consideration of the House, a resolution in the words following, to wit:

Resolved, That there be printed of the report of the Superintendent of the Onondaga salt springs, 2,500 extra copies for the use of the Legislature, 1,000 for the use of the said Superintendent, 300 for the use of Prof. Cook, and 200 for the use of the committee on the manufacture of salt.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Cook, from the committee on the erection and division of towns and counties, to which was referred the petition of citizens of Elmira, Chemung county, praying for the passage of a bill to divide said town, reported, and asked and obtained leave to bring in a bill entitled "An act to erect the town of Horse Heads, from the town of Elmira, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hinckley, from a minority committee on commerce and navigation, to which was referred the bill entitled "An act in relation to the incorporation of companies formed to navigate the lakes, rivers and canals of this State," reported adverse to the passage of said bill, which report was committed to the committee of the whole.

Mr. Germain, offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That five times the usual number of the majority and minority reports of the committee on commerce and navigation, on the bill to incorporate companies formed to navigate lakes, rivers and canals of this State be printed.

Ordered, That said motion be referred to the committee on public printing.

Mr. Peters, from the committee on railroads; to which was referred the bill entitled "An act to amend an act entitled 'an act in relation to railroad companies,'" reported, and asked and obtained leave to bring in a bill entitled "An act in relation to the Black river and Utica railroad company, empowering it to apply for appraisal of land on complying with certain conditions," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the petition of the Ogdensburgh, Clayton and Rome rail-

road company, praying for an act in relation to empowering them when \$10,000 per mile from Rome to Ogdensburgh has been subscribed and ten per cent paid in, to apply to the court for commissioners of appraisal on that line, &c., reported, and asked and obtained leave to bring in a bill entitled "An act in relation to the Ogdensburgh, Clayton and Rome railroad company, to empower them to apply to the court for commissioners of appraisal, &c., on line of road from Rome to Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the city of Utica," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the Protestant Episcopal Church Missionary Society for seamen, in the city and port of New-York, praying for an amendment to their charter, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the charter of the Protestant Episcopal Church Missionary Society, for seamen, of the city and port of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fiero, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Rose Hill Savings Bank, in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Williams, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to incorporate the Howard water works company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of the St. Regis Indians, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act making an appropriation for the payment of the St. Regis Indians for having been dispossessed, by this State, of two islands in the river St. Lawrence, known as Barnhart and Baxter's Islands," which was read the first time, and by unanimous con-

sent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the secretary of the Oswego and Rome road company, praying for the privilege to abandon a portion of their road, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the Rome and Oswego road company to abandon portions of their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to authorise the Watervliet plank road company to abandon that portion of their road lying within the bounds of the corporation of West Troy, and to amend their charter," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act for the appropriation of five hundred dollars to repair the road across the Onondaga Indian reservation,' passed July 18, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to permit the Cazenovia and Chittenango turnpike company to abandon a portion of their road, and to make chapter 626 of the Session Laws of 1853 applicable to said company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hull, from the committee on medical societies and colleges, to which was referred the Senate bill entitled "An act to promote medical science," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ware, from the committee on expenditures of the House, to which was referred the resolution for the clerk to furnish the members, clerks, and reporters of this House, with a Red Book, for Legislative use, reported in favor of the passage of the same without amendment, which report was agreed to.

Mr. Ware, from the committee on expenditures of the House, to which was referred a resolution to provide the messengers with pocket knives, reported in favor of the passage of the same with amendments, so as to read as follows :

Resolved, That the clerk be authorised to supply each of the pages with a pocket knife, at a cost not exceeding \$1.25 each.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

Mr. Mitchell, from the committee on claims, to which was referred the petition of William Bull, praying for relief, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of William Bull," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Theodore D. Barton, for an act to authorise the Commissioners of the Land Office to examine and determine his claim for increased compensation for work done by him in abating a nuisance on State lands in the city of Syracuse, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the Commissioners of the Land Office to hear and determine the claim of Theodore D. Barton, for increased compensation for work done by him in abating a nuisance on State lands in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the select committee of the N. Y. delegation, to which was referred the bill entitled "An act to repeal the law incorporating the Jones' Wood park," reported adversely, with amendments.

Mr. Barrow moved to recommit this report, together with the report and bill previously reported on that subject by Mr. Conkling, from the New-York delegation, to that delegation.

Mr. Conkling moved to refer said bill and reports to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Barrow to recommit, and it was determined in the affirmative.

Mr. Clinton moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker stated the previous question to be on the motion of Mr. Conkling to refer to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, to refer, and it was determined in the negative.

Mr. Mosely Hutchinson from the committee on colleges, academies, and common schools, to which was referred the petition of the Onondaga Indians, for renewal of school appropriation, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the education of children of Indians of the Onondaga reservation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Resolutions were received from the Senate, requesting the transmission of the petitions and papers relating to the claim of Richard Richardson, Matthew Sayre and Richard Hudson.

The bill entitled "An act to incorporate the Six Penny savings bank, in the city of Rochester," coming up for its third reading,

Mr. Randall moved said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Randall, and it was determined in the negative.

Mr. Randall moved to recommit said bill to the committee on banks, with instructions to report in its stead, a general bill for the incorporation of savings banks.

Debate was had thereon, when

On motion of Mr. Thorn,

The House, at 9 o'clock p. m., adjourned.

THURSDAY, JANUARY 26, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Dyer.

The minutes of yesterday were read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to amend the act entitled 'An act for the better support of the poor of the town of Newburgh, in the county of Orange,' passed in 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for additional compensation to jurors in attendance upon the courts of record in Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorise the appraisal and payment of canal damages to Frederick Gosskoff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorise the Ogdensburgh Marine railway company to borrow money and issue bonds," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the following resolution :

Resolved, (If the Assembly concur,) That our Senators and Representatives in Congress be requested to obtain from the National Legislature, a suitable expression of the high sense entertained by the people of the United States, of the heroic and humane conduct of Captain Creighton, of the ship Three Bells, of Glasgow ; of Captain Lowe, of the bark Kilby, of Boston ; of Captain Stouffer, of the ship Antarctic, of New-York, and Captain C. B. Pendleton, of the ship Lucy Thompson, of New-York city, in rescuing the passengers, officers and crews of the steamer San Francisco, in their late perilous exposure on the ocean, at the imminent hazard of their own lives and the lives of those under their command, and to ask that some honorable testimonial of approbation may be presented to the commanders, officers and crews of the Three Bells, the Kilby, the Antarctic and the Lucy Thompson.

Ordered, That said resolution be laid on the table.

The Senate returned the joint resolution calling the attention of Congress to the suffering of passengers transported in emigrant vessels, with a message informing that they had amended the same by striking out the second of said resolutions, and inserting in its stead the following :

Resolved, That the foregoing preamble and resolution, duly authenticated, be forwarded to our Senators and Representatives in Congress.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, with an amendment, the bill entitled as follows, to wit :

"An act granting the consent of the State of New-York to the purchase by the United States, of certain lands in the city of Oswego, for the purpose of the erection of a custom house, warehouse, post office, and court rooms, and ceding jurisdiction over the same."

Mr. Speaker put the question whether the House would agree to the amendment of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Hull	Munroe
Bailey	A. A. Dunlap	Mat. Hutchinson	Nelson

Seeley
Sharp

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S. Baldwin	B. Dunlap	Mos. Hutchinson	Noble	Sill
Barrow	Edwards	Jenkins	Odell	Speaker
Barton	Fiero	Kirkland	Palmer	Stephens
Benedict	Freeman	Lee	Payne	Sniffen
Bennett	Germain	Leigh	Peters	Underwood
Bergen	Gibbs	Littlefield	Preston	Ward
Boyd	Gleason	Lozier	Richards	Weed
Burgess	Graham	May	Richardson	Whipple
Burnett	Hall	McGraw	Robertson	Whitman
Case	Harpur	McMurray	Rose	Wilson
Chesebro	Harris	Mills	Rowland	Williams
Cook	Hatch	L. Miller	Savage	Winne
Conkling	Hinkley	Mitchell	Searing	D. P. Wood
Crocheron	Hollenbeck	Monfort	Sessions	J. S. Wood
Cumming	Howell	Morris		

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in the amendment thereto.

This being the day prescribed by the rule for general orders, the House went into committee of the whole upon the unfinished business, being the consideration of the Senate bill entitled "An act in relation to toll gates on the Fredonia and Sinclairville plank road."

Also, "An act to amend an act entitled 'An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853."

Also, "An act in relation to the duties of police justices and their clerks, and the officers of police courts in the city of New-York."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Boyd, from said committee, reported that the committee had gone through with said third mentioned bill, and agreed to the same without amendment.

On motion of Mr. Benedict,

The question of agreeing to the report of the committee of the whole was laid upon the table.

The hour of one and three-quarters o'clock p. m., having arrived, the House took a recess till 7 p. m.

SEVEN O'CLOCK, P. M.

The House again met.

Mr. Speaker put the question whether the House would agree to the report of the committee of the whole, on the Senate bill entitled "An act for the relief of the Lockport and Cambria plank road company," under consideration at the hour of adjournment, on the 24th inst., and it was determined in the affirmative.

Ordered, That said bill do have its third reading.

Mr. Speaker put the question whether the House would agree to the report of the committee of the whole on the Senate bills

entitled as follows: "An act in relation to toll gates on the Fredonia and Sinclairville plank road;" also, "An act to amend an act entitled 'An act to authorise the Monticello and Wurtsboro' plank road company, to purchase from the Newburgh and Cochection turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853," and it was determined in the affirmative.

Ordered, That said bills do have their third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act to authorise the board of supervisors of the several counties of this State, to make the office of district attorney, a salaried office, and to fix the salary thereof, passed April 14th, 1854," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

"An act to fix the salary of the Auditor of the Canal Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the resolutions in the words following, to wit:

Concurrent resolution in relation to the rescuers of the passengers of the ship San Francisco, which was read and referred to the committee on commerce and navigation.

Resolved, (If the Assembly concur,) That the committee on commerce and navigation of the Senate, proceed immediately to the cities of New-York, Brooklyn, and Williamsburgh, and examine the encroachments that have been made upon the harbor of New-York, and the encroachments now being made upon the same, and report the result of their examination to the Senate, immediately on their return to the Capitol, which was read and referred to the committee on commerce and navigation.

Mr. Adams offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on privileges and elections, have power to send to Jefferson co., for papers and witnesses, or go as in their opinion would be the most expeditious and economical manner of obtaining the necessary evidence in the matter of the contested seat from that county.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker announced the order of the evening, being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole on said bill;

And after some time spent thereon, Mr. Speaker resumed the

chair, and Mr. Benedict, from said committee, reported progress, and asked and obtained leave to sit again.

Mr. Sessions moved that the bill just reported upon, be made the special order for to-morrow, immediately after the reading of the journal.

Mr. Thorn moved to amend, by making it the special order for to-morrow evening, seven o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Thorn, to amend, and it was determined in the affirmative, two-thirds voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 29 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Crocheron	Mos. Hutchinson	L. Miller	Sharp
Backus	Fiero	Jenkins	S. F. Miller	Sill
Barrow	Germain	Kinney	Mitchell	Speaker
Barton	Gibbs	Kirkland	Monfort	Sterling
Baucus	Gorham	Legg	Munroe	Thorn
Beers	Gott	Leigh	Noble	Underwood
Benedict	Hall	Littlefield	Odell	Ware
Bennett	Harpur	Littlejohn	Palmer	Weed
Bergen	Harris	Lozier	Payne	Wilder
Boardman	Hatch	Mallory	Peters	Willis
Boyd	Hinckley	Martin	Randall	Williams
Case	Holdridge	Mather	Rose	Winne
Chesebro	Hollenbeck	May	Rowland	D. P. Wood
Cook	Hoyle	McGraw	Scott	J. S. Wood
Conkling	Hull	McMurray	Sessions	W. H. Wood
Cost				

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Those who voted in the negative are,

Aitken	Collins	Mat. Hutchinson	Nelson	Suffern
Baker	Cumming	Joy	Preston	Ward
R. J. Baldwin	Cushman	Lee	Searing	Wart
S. Baldwin	R. Dunlap	Mills	Seeley	White
Brust	Ferguson	G. Miller	Sheeley	Whitman
Clinton	Howell	Morris	Stephens	

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On motion of Mr. Barrow,
At fifteen minutes to ten o'clock, the House adjourned.

FRIDAY, JANUARY 27, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Hague.

The minutes of yesterday were read and approved.

Mr. R. J. Baldwin presented the petition of Wm. W. Rockwell, and 150 other citizens of Saratoga and Warren counties, Mr. Dewey presented 4 petitions of inhabitants of Jefferson co., Mr. Speaker presented a memorial of citizens of Albany, Mr. Noble

presented 2 petitions of inhabitants of Warren co., Mr. Brust presented two petitions of citizens of Rensselaer county, Mr. Neilson presented 2 petitions of citizens of Saratoga co., Mr. Boardman presented a petition of Ebenezer Hamlin, and others of Warren co., Mr. Littlefield presented a petition of inhabitants of Jefferson co., Mr. Boyd presented a petition of Abial Burdick, and 49 others, Mr. Baucus presented 2 petitions of citizens of Saratoga co., Mr. Bailey presented the petition of Wm. McHeron and 105 others, of Warren co., Mr. A. A. Dunlop presented the petition of Messrs. Satterlee, Gray, Sprague & Co., and others of Albany, praying for the early passage of a law permitting the Sacketts Harbor & Saratoga railroad co. to change its route, which were read and referred to the committee on railroads.

Mr. Hinckley presented the remonstrance of 170 persons of Hamilton co., against changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Hollenbeck presented the petition of Alonson Sumner, and others, against changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Gibbs presented the remonstrance of sundry inhabitants of the town of Nunda, against a division of the county of Livingston, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Gibbs presented the remonstrance of inhabitants of the town of Genesee, against a division of the county of Livingston, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Lozier presented 2 petitions of sundry citizens of Allegany, Steuben, and Livingston counties, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Jenkins presented the petition of inhabitants of the county of Allegany, praying for the passage of a law authorising the construction of a feeder to the Genesee Valley canal, on the Genesee river, which was read and referred to the committee on canals.

Mr. May presented the petition of inhabitants of Allegany co., for the same object, which was read and referred to the committee on canals.

Mr. R. J. Baldwin presented the petition of Mr. A. Burdick, for the payment of a judgment obtained by him against the agent of Clinton prison, which was read and referred to the committee on State prisons.

Mr. Monfort presented a petition for an act incorporating the Union Store association in the town of Poughkeepsie, in the county of Dutchess, which was read and referred to the committee on trade and manufacture.

Mr. Robertson presented the petition of the Schoharie Hill Bridge company, for an amendment of their charter, which was read and referred to the committee on roads and bridges.

Mr. G. Miller presented the petition of Isaac Satterly, claiming pay for revolutionary services, which was read and referred to the committee on militia and public defence.

Mr. A. A. Dunlop presented the petition of Samuel Crawford, and others of West Troy, for a navigable feeder on the Genesee Valley canal, which was read and referred to the committee on canals.

Mr. Payne presented the petition of John McGonegal and others, for an act to amend an act relating to frauds, in the purchase of personal property, which was read and referred to the committee on the judiciary.

Mr. Morris presented the petition of Kings county judges, &c., for the appointment of a orier for courts, which was read and referred to the committee on the judiciary.

Mr. Edwards presented a memorial of the common council of the city of Troy, praying for authority to raise money by taxation, which was read and referred to the committee on the incorporation of cities and villages.

Mr. S. Baldwin presented the petition of inhabitants of St. Lawrence co., for an appropriation for the improvement of Grass and Oswegatchie rivers, for floating logs and lumber, which was read and referred to the committee on commerce and navigation.

Mr. Cumming presented the petition of the New-York Ophthalmic hospital, for a donation, which was read and referred to the committee on ways and means.

Mr. Case presented the petition of Francis Smith, and the heirs of John Dunlop, for relief, which was read and referred to the committee on grievances.

Mr. Clinton presented the memorial of Walter R. Jones, president of the New-York Life Saving Benevolent association of N. Y., for an annual appropriation of \$2,000, to enable the association to make awards to those who peril life to save life, which was read and referred to the committee on ways and means.

Mr. A. A. Dunlop presented the petition of the assessors of the city of Albany, praying for relief, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Savage presented the memorial of George Griswold, President of the public meeting held at the Merchants' Exchange, in relation to the encroachments on the harbor of New-York, of Walter R. Jones, president of the Chamber of Commerce, asking that the committee on commerce be instructed to proceed immediately to New-York, and examine into the causes of said encroachments, which was read and referred to the committee on commerce and navigation.

Mr. Savage presented a memorial from the Chamber of Com-

morce, relating to the same subject, which was read and referred to the committee on commerce and navigation.

Mr. Payne presented the petition of sundry citizens of Monroe county, for the repeal of an act for the preservation of public health, passed April 10, 1858, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Fiero presented the remonstrance of sundry inhabitants of Windham, Ashland, and Pratts ville, against any amendments to the charter of the Schoharie Kill bridge company, which was read and referred to the committee on roads and bridges.

Mr. Edwards presented the petition of Garrit Mann, for canal damages, which was read and referred to the committee on claims.

Mr. Rose presented the petition of Cyrus Ellis, for a repeal of the law exempting ministers of the gospel from taxation, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Martin presented the petition of Harry Moore, for a change of his name, which was read and referred to the committee on the judiciary.

Mr. D. P. Wood presented the petition of Oliver Teal, for canal damages, which was read and referred to the committee on claims.

Mr. Howell presented the petition of the trustees of New Paltz academy, for aid, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Rose presented the petition of Luther Bunton, for an amendment of the law of 1849, to prevent the sale of intoxicating liquors to Indians, which was read and referred to the committee on Indian affairs.

Mr. Harper presented the petition of 102 inhabitants of the town of Maine, Broome county, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Joy presented the memorial of the Grand Division of Western New-York of Sons of Temperance, on the same subject and against any submission to the people, which was read and committed to the committee of the whole.

Mr. Hoyle presented the petition of the members of the Champlain Presbytery, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Harris presented two petitions of Saratoga and Fulton counties, on the same subject, which were read and committed to the committee of the whole.

Mr. Mather presented the petition of 175 voters of Westfield and Cherry Valley, on the same subject, which was read and committed to the committee of the whole.

Mr. McGraw presented the petition of the majority of electors of Solon, county of Cortland, for the same object, which was read and committed to the committee of the whole.

Mr. D. P. Wood presented the remonstrance of Arthur Mott against the passage of the liquor law, which was read and committed to the committee of the whole.

Mr. Stephens presented several petitions of sundry inhabitants of Steuben and Allegany counties, for the erection of a new county to be called Canisteo, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Lozier presented three petitions for the same object, which were read and referred to the committee on the erection and division of towns and counties.

On motion of Mitchell,

Resolved, That the committee on privileges and elections report immediately to this House the facts, as far as ascertained, in the contested seat from Jefferson county.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State, to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal certain parts of the Revised Statutes relating to ministers of the gospel, and priests of every denomination," and also the petition of Cyrus Ellis, for a repeal of the law exempting ministers of the gospel from taxation, reported adversely to the passage of said bill, and against the prayer of the petitioner, which report was agreed to.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to enlarge the powers of boards of supervisors," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments, by persons residing out of the State of New-York,' passed April 7, 1848," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which

was referred the bill entitled "An act authorising the surrogate of the county of Genesee to issue letters of administration upon the estate of John Blacksmith, deceased," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of Abraham Cumming, and Daphin, his wife, and Emeline Kemp, praying for authority to the said Emeline Kemp to change her name, reported, and asked and obtained leave to bring in a bill entitled "An act to change the name of Emeline Kemp," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act for the protection of gas light companies," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of Horace Treadwell, praying for the passage of a law confirming his acts as justice of the peace, reported, and asked and obtained leave to bring in a bill entitled "An act to legalize the acts of Horace Treadwell as justice of the peace of the town of Jefferson, in the county of Schoharie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act authorizing the Ogdensburgh Marine railway company to borrow money and issue bonds," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the concurrent resolution from the Senate, in relation to the rescuers of the passengers of the San Francisco, reported in favor of the passage of the same.

(*See Ass. Doc. No. .*)

Mr. Germain moved the adoption of said resolution.

Mr. Sessions moved to amend said resolution, as follows :

Strike out the provision authorising the Governor to present each of the captains of the rescuing vessels with a silver trumpet.

Mr. D. P. Wood moved to amend the amendment to the resolution, as follows :

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By including in the commendation, the officers and crews of said vessels.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

Mr. R. J. Baldwin moved to amend the last amendment, as follows :

By adding after the word "crews," the words following, viz : "who aided in rescuing the officers and crew of said vessel."

Mr. Peters moved to still further amend, by adding commendations to the captain, officers and crew of the steamer San Francisco, for their heroic efforts on the occasion referred to.

Mr. Conkling moved to lay the resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. Peters moved to refer said resolution and amendment back to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

Mr. Searing from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'an act to authorise the city of Oswego to take stock in railroads, and to sell its bonds to provide for the payment thereof,' passed May 27, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the Newark lime and cement manufacturing company to purchase, hold and convey lands and real estate in this State," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Moseley Hutchinson, from the committee on colleges, academies and common schools, to which was referred the petition of inhabitants of Plattsburgh, in Clinton county, praying for an amendment of the school law, reported, and asked and obtained leave to introduce a bill entitled "An act to amend section 62 of the act entitled 'an act relative to town superintendents of common schools,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 4,000 extra copies of the mi-

minority report of the select committee on the subject of intemperance, reported by resolution, in the words following, to wit:

Resolved, That 4,000 copies of the report of the minority of the committee to which was referred the act for the suppression of intemperance, be printed for the use of the House.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Sessions, from the committee on ways and means, to which was referred the bill entitled "An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison, by Zalmon J. McMaster, and Jacob T. Merit, reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law,

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the joint resolution from the Senate to authorise the committee on commerce and navigation, of that body, to proceed to New-York, to examine the harbor encroachments at that place, reported said resolution amended, so as to read as follows:

Resolved, (If the Assembly concur,) That the committee on commerce and navigation of the Senate, and also the committee on commerce and navigation of the Assembly, proceed immediately to the cities of New-York, Brooklyn, and Williamsburgh, and examine the encroachments that have been made upon the harbor of New-York, and the encroachments now being made upon the same, and report the result of their examination to the Senate and Assembly, immediately on their return to the Capitol.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Ordered, That the clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same with amendments.

Mr. Barrow, from the committee on claims, to which was referred the petition of John C. Van Alstine, for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of John C. Van Alstine," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of Allen W. Horton for damages in the sinking of a canal boat, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the Canal Board to hear and determine the claim of Allen W. Horton, for damages sustained by him in the sinking of the canal boat Helen Adela, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of Joseph Willis, and others, praying compensation for canal damages, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Joseph Willis and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act to authorise the appraisal and payment of canal damages to Frederick Gasskoff," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorise the sales of real estate to be published in Assembly districts," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act providing for the straightening of the Onondaga creek, and draining certain low lands near the southerly bounds of the city of Syracuse," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of stockholders of the Poughkeepsie and Salt Point plank road company, praying for an act to enable them to erect toll gates on said road, and to receive turnpike tolls, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the Poughkeepsie and Salt Point plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to incorporate the Saratoga Lake Bridge Company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of sundry citizens of the town of Ridgeway, in Orleans county, praying for an act to authorise the commissioners of highways, of the town of Ridgeway, in the county of Orleans, to resurvey part of a certain State road in said town,

reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans, to resurvey part of a certain State road in said town," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Littlejohn, from the committee on canals, reported the bill entitled "An act to provide for the improvement of the Erie, Oswego, and Cayuga and Seneca canals," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Thorn, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend an act in relation to free schools in the city of Troy, and school district No. 10 in the town of Lansingburgh, passed July 10, 1851; also to amend the act providing for the establishment of free schools in the city of Troy, passed April 4, 1849," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act for the relief of the Williamsburgh Dispensary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. D. P. Wood offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on privileges and elections be authorised to send for papers and persons in the matter of the contested seat in the second Assembly district in Jefferson county, and that said committee make their final report on said case within one week from the adoption of this resolution.

Debate was had thereon, when

Ordered, That said resolution be laid on the table.

Mr. Conkling, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the Globe Insurance Company," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented the annual report of the Seamen's Bank for savings, in the city of New-York.

Mr. Speaker presented the annual report of the Mariners' Savings Institution, in the city of New-York.

Mr. Speaker presented a communication from the State Engineer and Surveyor, in answer to a resolution of the Assembly of Jan. 13, 1854, calling for information in regard to the quantity of land owned by the State.

The bill entitled "An act to incorporate the Sixpenny Savings Bank in the city of Rochester," was taken up for its third reading.

Mr. Speaker stated the pending question to be on the motion of Mr. Randall to recommit the bill to the committee on banks, with instructions to report a general bill, which motion was pending at the hour of adjournment at the evening session of January 25.

Mr. D. P. Wood moved to amend said motion to recommit, by striking out the proposed instructions and inserting in their stead, instructions to report the following amendments: strike out the words "as such," in section six; strike out the provision authorising investments in city stocks.

Mr. Angle moved to recommit said bill to the committee of the whole, with instructions to report amendments, as follows: strike out the words "as such," in the first line of the third section, by substituting "eleven" in the place of the word "six," in the fourth line of the fourth section; the word "nine" in place of the word "five," in the sixth line of the same section; also, by substituting the word "nine" in place of the word "six," in the fourth line of the fifth section; and at the end of the fifth section, add the following words: "but no person elected as trustee shall be allowed to act as such until his election shall have been approved by the Supreme Court at a term held in the county of Munroe;" also strike out the words "or in the stock or bonds of any city authorised to be issued by the Legislature of this State," from the 5th, 6th and 7th lines of the 6th section; also, to increase the number of trustees to 21; also strike out the words "from their number" from the 2d line of section 4.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Angle to recommit to the committee of the whole, and it was determined in the affirmative.

The Senate bill entitled "An act in relation to toll gates on the Fredonia and Sinclairville plank road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 10 }

Those who voted in the affirmative are,

Adams	Dawson	Hollenbeck	Mills	Sessions
Angle	Dewey	Howell	L. Miller	Sharp
Bancus	A. A. Dunslop	Hoyle	Mitchell	Shesley
Beers	Edwards	Mat. Hutchinson	Morris	Sill

Babbitt	Ferguson	Jenkins	Munroe	Speaker
Bergen	Fiero	Joy	Nelson	Stephens
Boardman	Freeman	Kinney	Noble	Sterling
Boyd	Germain	Lee	Palmer	Thompson
Burgess	Gibbs	Leigh	Payne	Thorn
Burnett	Gleason	Littlefield	Peters	Ware
Case	Gott	Lozier	Rose	Whipple
Clark	Graham	Mallory	Rowland	White
Clinton	Hall	Mather	Savage	Wilder
Cook	Harris	May	Scott	Winne
Cookling	Hatch	McGraw	Searing	D. P. Wood
Cushman	Hinkley	McMurray		

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Those who voted in the negative are,

Backus	Barrow	Collins	Legg	Whitman
S. Baldwin	Chesebro	Harper	Seely	Williams

10

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act for the relief of the Port Richmond and Freshkill plank road company," coming up for a third reading,

Mr. Crocheron moved to recommit the same to the committee on roads and bridges.

Mr. Backus moved to amend, by instructions to bring in a general bill.

Mr. Sessions moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker stated the main question to be on the third reading of the bill.

On motion of Mr. D. P. Wood,

The time for adjournment for this day, was extended to two o'clock, p. m.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 20 }

Those who voted in the affirmative, are

Adams	Dewey	Hollenbeck	Mills	Still
Anglo	A. A. Dunlop	Hoyle	Mitchell	Speaker
Bailey	R. Dunlap	Hull	Morris	Stephens
B. J. Baldwin	Edwards	Mat. Hutchinson	Nelson	Sterling
S. Baldwin	Ferguson	Jenkins	Noble	Suffern
Barton	Fiero	Joy	Palmer	Thorn
Baucus	Freeman	Kinney	Payne	Underwood
Beers	Germain	Kirkland	Peters	Ware

Benedict	Gibbs	Leigh	Randall	Wart
Bennett	Gleason	Littlefield	Richards	Weed
Boardman	Gott	Littlejohn	Rose	White
Boyd	Graham	Lozier	Savage	Whitman
Burgess	Hall	Mallory	Scott	Wilson
Burnett	Harpur	Martin	Searing	Wilder
Clinton	Harris	Mather	Sessions	Willis
Cook	Hatch	May	Seeley	Winne
Conkling	Hinkley	McGraw	Sharp	D. P. Wood
Cost	Holdridge	McMurray	Shreeley	W. H. Wood

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Those who voted in the negative are,

Aitken	Bergen	Cumming	Lee	Preston
Baker	Case	Cushman	Legg	Thompson
Backus	Chesebro	Howell	S. F. Miller	Whipple
Barrow	Crocheron	Mos. Hutchinson	Munroe	Williams

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Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Lozier moved to reconsider the vote on the final passage of said bill, and that said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative.

Mr. Lozier then withdrew his said motion to reconsider.

The bill entitled "An act for the relief of Harvey Milton, and George Brayton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Hull	Morris	Speaker
Angle	Cumming	Mat. Hutchinson	Munroe	Stephens
Aitken	Dawson	Mos. Hutchinson	Nelson	Sterling
Bailey	R. Dunlap	Jenkins	Noble	Suffern
S. Baldwin	Edwards	Joy	Palmer	Thompson
Barrow	Ferguson	Kinney	Payne	Underwood
Barton	Fiero	Kirkland	Peters	Ward
Baucus	Freeman	Lee	Preston	Ware
Benedict	Germain	Leigh	Randall	Wart
Bennett	Gibbs	Littlefield	Richards	Weed
Bergen	Gleason	Littlejohn	Richardson	Whipple
Boardman	Graham	Lozier	Rowland	White
Brust	Hall	Mallory	Savage	Whitman
Burgess	Harpur	Martin	Scott	Wilson
Burnett	Harris	Mather	Searing	Wilder
Case	Hinkley	May	Sessions	Willis
Chesebro	Holdridge	McGraw	Seeley	Williams
Clark	Hollenbeck	McMurray	Shreeley	Winne
Cook	Howell	S. F. Miller	Sill	D. P. Wood
Conkling	Hoyle	Mitchell	Smalley	

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Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. D. P. Wood, and by unanimous consent,
Resolved, That the Clerk procure 20 copies of the Laws of 1853, for the Assembly library.

By unanimous consent,

Mr. Burnet moved that the bill entitled "An act to amend an act to divide the county of Steuben into two jury districts," be recommitted to the committee on the judiciary.

Mr. Williams moved that the hour of adjournment be postponed five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the affirmative.

Mr. Lozier moved to amend by recommitting to the committee on the erection and division of towns and counties.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Burnet, and it was determined in the affirmative.

On motion of Mr. D. P. Wood,

At two o'clock, the House took a recess until seven o'clock, p. m.

SEVEN O'CLOCK, P. M.

The House again met.

Mr. Speaker announced the order of the evening, it being the consideration of the bill entitled "An act for the suppression of intemperance."

Mr. Clinton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That when this house adjourns to-night, it adjourn to meet on Monday next, at 12 o'clock, M.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, as follows:

{ AYES 34 }
{ NOES 69 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Adams	Chesebro	Ferguson	Mitchell	Sharp
Angle	Clark	Gott	Monfort	Sterling
Aitken	Clinton	Graham	Morris	Ward
Baker	Collins	Lee	Palmer	White
Backus	Orocheron	May	Richards	Wilder
Bancus	Dawson	Mills	Searing	W. H. Wood
Burgess	R. Dunlap	S. F. Miller	Sessions	

Those who voted in the negative are,

Bailey	Cumming	Hoyle	Mather	Sheeley
R. J. Baldwin	Cushman	Hall	McGraw	Speaker
S. Baldwin	Dewey	Mat. Hutchinson	McMurray	Stephens
Barton	Edwards	Mos. Hutchinson	G. Miller	Suffern
Beers	Fiero	Jenkins	L. Miller	Thompson
Benedict	Freeman	Joy	Nelson	Thorne
Bennett	Germain	Kiahey	Noble	Underwood
Bergen	Gibbs	Kirkland	Payne	Weed
Boardman	Gorham	Legg	Peters	Whipple
Boyd	Harpur	Leigh	Randall	Whitman
Case	Hinkley	Littlefield	Rose	Wilks
Cook	Holdridge	Littlejohn	Rowland	Williams
Conkling	Hollenbeck	Lozier	Scott	Winne
Cost	Howell	Mallory	Seeley	

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Mr. Lee moved that this House adjourn to-night at 9 o'clock.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That the committee on privileges and elections be and they are hereby authorised to audit and certify the amount due the witnesses regularly subpoenaed and in attendance, but not examined, as those that have been sworn and examined in the case of the contested seat in this House.

Mr. Freeman moved that said resolution be referred to the committee on expenditures of the House.

Mr. Lozier moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

Mr. Speaker again announced the question of the evening, it being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole, on said bill.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress and asked and obtained leave to sit again.

Mr. Leigh moved that the bill for the suppression of intemperance, be made the special order for Monday evening at seven o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the affirmative, two-thirds voting in favor thereof.

Mr. Clinton moved that when this House adjourns it adjourn to meet on Monday morning at eleven o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Cumming offered for the consideration of the House, as a privileged question, a preamble and resolution, in the words following:

Whereas, A report was this morning laid upon the desks of the members, marked Assembly document No. 18, purporting to be the report of the select committee on the bill repealing the Jones Wood Park bill, which report was sent to the printers on the 26th inst.; and whereas a report was made on the 18th inst. by the committee on the same subject, which has not yet been printed; and whereas various other reports were made prior to the 26th inst., which have not yet been printed, therefore,

Resolved, That the committee on printing be directed to ascertain and report to this House at whose instigation, and by what means, the printing of the document No. 18 was procured, previous to reports made at a prior date, and why the report made on the 18th inst. has not yet been printed, and that said committee have power to examine witnesses.

Mr. Speaker put the question whether the House would agree to the said preamble and resolution, and it was determined in the affirmative.

Mr. Leigh gave notice that he would at some future day ask leave to introduce a bill to create a central criminal court in the city of New-York.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill in relation to the partition of lands.

Mr. Clinton gave notice that he would at some future day ask leave to introduce a bill to incorporate the Penny Savings Institution of the city of New-York.

Mr. Ward gave notice that he would at an early day ask leave to introduce a bill for the creating of a permanent board of commissioners for making estimates and assessments for opening, widening, or otherwise improving avenues and streets, &c., in the city of New-York.

Mr. Payne gave notice that he would at an early day ask leave to introduce a bill to repeal an act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof, passed July 21, 1853.

Mr. Benedict gave notice that he would at some future day ask leave to introduce a bill in relation to guardians and wards.

Mr. Boyd gave notice that he would at an early day ask leave to present a bill for the purpose of making more equitable the system of taxation.

Mr. Seeley gave notice that he would at an early day ask leave to introduce a bill in relation to the removal of justices of the Supreme Court out of the districts in which they were elected.

Mr. Baker gave notice that he would at an early day ask leave to introduce a bill to repeal chapter 609 of Laws of 1853, entitled "An act in relation to highways and bridges in the county of Montgomery," passed July 21, 1853.

Mr. Bennett, gave notice that he would, at an early day, ask leave to introduce a bill allowing certain towns in the counties of Wayne and Ontario, to subscribe to the capital stock of the Sodus Point and Southern railroad company.

Mr. Collins gave notice that he would, at an early day, ask leave to introduce a bill to authorise a part of the record in the office of the Secretary of State, and in the office of the clerk of the county of Oneida, to be transcribed and deposited in the clerks office of the county of Lewis.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to provide for a settlement with persons, for moneys paid to the Mariners' Fund.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to amend sub-division 4, section 304, of the Code of Procedure, relative to costs.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to repeal the acts for the more effectual protection of the property of married women, passed April 7th, 1848 and 1849.

Mr. Fiero gave notice that he would, at an early day, ask leave to introduce a bill authorising all banks in this State to receive in deposite or otherwise, bills of all denominations, issued by all banks of other States within the United States.

Mr. Germain gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Buffalo cemetery association.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled 'An act to amend an act to incorporate the New-York State and National law school,' passed April 4, 1853.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to authorise the county judge of Kings co., to appoint a crier of the courts of record to be held in and for said county.

Mr. Willis gave notice that he would, at an early day, ask leave to introduce a bill to regulate the hours of labor of adults and minors.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled 'An act to divide the county of Steuben into two jury districts, and provide for holding courts alternately in each district,' passed July 19th, 1853.

Mr. Willis gave notice that he would, at an early day, ask leave to introduce a bill for the more effectual cleaning and keeping clean the public streets and lanes of the city of New-York.

Mr. Cost gave notice that he would, at some future day, ask leave to introduce a bill to amend that part of the Revised Statutes relative to the assessment of taxes on real and personal estate.

Mr. Cost gave notice that he would, at some future day, ask leave to introduce a bill for the relief of the Vienna and Clifton Springs plank road company in the county of Ontario.

Mr. Benedict gave notice that he would, at some future day, ask leave to introduce a bill to amend the law of libel.

Mr. Benedict gave notice that he would, at some future day, ask leave to introduce a bill in relation to records of deeds and mortgages in certain cases.

Mr. Lee gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Yonkers savings bank.

On motion of Mr. Mitchell,

At twenty minutes before ten o'clock, p. m., the House adjourned.

SATURDAY, JANUARY 28, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Dyer.

The minutes of yesterday were read and approved.

On motion of Mr. S. Baldwin,

Leave of absence was granted to Mr. Hall for one week.

On motion of Mr. Cook,

Leave of absence was granted to Mr. Hallenbeck till Wednesday next.

On motion of Mr. Barton,

Leave of absence was granted to Mr. J. S. Wood until Tuesday next.

Mr. Speaker presented the thirty-second annual report of the surgeons of the New-York Eye Infirmary.

Mr. Harpur presented the petition of 41 ladies and gentlemen of Broome county, for a law to prohibit the sale of intoxicating liquors; Mr. Ferguson presented four petitions on the same subject, which were read and committed to the committee of the whole when on the bill on that subject.

Mr. Moseley Hutchinson presented the report of the Auburn Savings Institution, at Auburn, which was read and referred to the committee on banks.

Mr. Lozier presented three petitions for a new county from parts of Allegany, Steuben and Livingston counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Stephens presented eleven petitions of inhabitants of the counties of Allegany and Steuben, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Edwards presented the memorial of the common council of the city of Troy, praying for an amendment of the assessment law, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Legg presented the petition of James Sheafe Smith, for a change of name, which was read and referred to the committee on the judiciary.

Mr. Chesebro presented the petition of inhabitants of the city of Albany, in favor of the law to promote medical science, which was read and committed to the committee of the whole.

Mr. Bailey presented the petition of the clerks of the towns of Hornby and Corning, to take from Hornby a part of its territory, and attach the same to Corning, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Littlejohn presented the petition of the common council of Oswego, asking the passage of a law confirming their acts in regard to the construction of a wharf in said city, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Hall presented the petition of citizens of Ogdensburgh, for an amendment of their charter for the incorporation of the water works company, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hinkley presented the remonstrance of citizens of Fulton county, against changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Edwards presented the memorial of the common council of the city of Troy, praying for power to take a census of the wards of said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Cushman presented the petition of the commissioners of the alms house of the town of Newburgh, praying for permission to build an addition to their said house for the confinement of insane paupers, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Fiero presented three remonstrances of inhabitants of Windham, Ashland and Prattsville, against any amendment of the charter of the Schoharie Kill Bridge Company, which were read and referred to the committee on roads and bridges.

Mr. Seeley presented eight petitions of inhabitants of Oxford and Guilford, in the county of Chenango, Butternuts, Unadilla, &c., in the county of Otsego, granting leave to the stockholders and directors of the Butternuts and Oxford turnpike company to abandon a portion of their road, which were read and referred to the committee on roads and bridges.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the trustees of the

Williamsburgh Dispensary, praying for the reduction of the number necessary to constitute a quorum for the transaction of business, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the Williamsburgh Dispensary," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gibbs, from the committee on the judiciary, to which was referred the petition of **Harry Moore**, praying for a change of his name, reported, and asked and obtained leave to bring in a bill entitled "An act to change the name of Harry Moore to Henry Moore Hyes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hall gave notice that he would at an early day ask leave to introduce a bill to amend the charter of the village of Williamsburgh.

Mr. Hall gave notice that he would at an early day ask leave to introduce a bill to incorporate the Ogdensburgh Water Works Company.

Mr. Clark gave notice that he would at an early day ask leave to introduce a bill to amend the Revised Statutes relative to the manner of taking testimony in contested elections.

Mr. A. A. Dunlop gave notice that he would at some future day ask leave to introduce a bill for the relief of the assessors of the city of Albany.

Mr. Benedict gave notice that he would at an early day ask leave to introduce a bill consolidating and amending the laws in relation to banking in this State.

Mr. Sealey gave notice that he would at an early day ask leave to introduce a bill authorising the Oxford and Butternuts turnpike company to abandon a part of their road.

Mr. Lozier gave notice that he would at some future day ask leave to introduce a bill to form a new county, to be called the county of Harrison, out of parts of Allegany, Steuben and Livingston counties.

Mr. Lozier gave notice that he would at some future day ask leave to introduce a bill to change the name of the village of Dansville to that of Creighton.

In pursuance of previous notice, **Mr. Lee** asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to incorporate the Van Cortlandt Bridge Company,' passed April 8, 1844," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, **Mr. Clark** asked and obtained leave to introduce a bill entitled "An act to provide for a settlement with persons for monies paid to the mariners' fund," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Clark asked and obtained leave to introduce a bill entitled "An act amending subdivision 4, section 304, of the Code of Procedure, entitled 'of the costs in civil actions,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Ware asked and obtained leave to introduce a bill entitled "An act for the more perfect organization of the police department of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill entitled "An act to confer new powers and duties on the court of Oyer and Terminer of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Boyd asked and obtained leave to introduce in a bill entitled "An act to amend title second, of chapter thirteen, of first part of the Revised Statutes, entitled 'of the assessment and collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Sharp asked and obtained leave to introduce a bill entitled "An act to incorporate the Turnverein society in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Baucus asked and obtained leave to introduce a bill entitled "An act to authorise the Saratoga and Hadley plank road company to increase their number of toll gates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Baucus asked and obtained leave to introduce a bill entitled "An act for the relief of plank roads of the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Leigh asked and obtained leave to bring in a bill entitled "An act to create a central criminal court in the city of New-York, and defining its powers and jurisdiction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Stephens asked and obtained leave to introduce a bill entitled "An act to erect the county of Canistota," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Collins asked and obtained leave to introduce a bill entitled "An act to authorise a part of the record in the office of the Secretary of State and in the office of the clerk of Oneida, to be transcribed and deposited in the clerk's office of the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of bridge companies,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill, entitled "An act to repeal chapter 609 of the Laws of 1853, relating to highways and bridges in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Ward asked and obtained leave to introduce a bill entitled "An act creating a permanent board of commissioners for making estimates and assessments for opening, widening, or otherwise improving the streets, avenues, parks, or other public grounds in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. R. Dunlap asked and obtained leave to introduce a bill entitled "An act for the improvement of Niagara river above the falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Nelson asked and obtained leave to introduce a bill entitled "An act to change the name of William S. Winslow to the name of William S. Waterman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Payne asked and obtained leave to introduce a bill entitled "An act to repeal an act passed July 21, 1853, entitled 'An act to amend an act to provide for the incorporation of companies to construct plank roads, and companies to construct turnpike roads, passed May 7, 1847,' and acts amendatory thereto," which was read the first time, and by unanimous

imous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorise the county judge of the county of Kings, to appoint a crier of the courts of record to be held in and for said county," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to amend the law concerning libel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act relating to guardians and wards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to bring in a bill entitled "An act to amend the act entitled 'An act in relation to the partition of lands,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act in relation to the records of deeds in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to authorise the Commissioners of the Land Office to sell certain lands and to convey certain lands under water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to extend the operation of the act passed February 17, 1848, entitled 'An act to authorise the formation of corporations for manufacturing and mining purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act authorising the sale or abandonment of plank roads in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the act en-

titled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts alternately in each district,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Willis asked and obtained leave to introduce a bill entitled "An act for cleaning streets and lanes in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Germain, from the committee on commerce and navigation, to which was referred the petition of the common council of Oswego city, praying for the passage of a law confirming their acts in regard to the construction of a wharf in said city, reported, and asked and obtained leave to introduce a bill entitled "An act to confirm certain acts of the common council of the city of Oswego, in relation to the building of a pier in the west harbor of said city," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Benedict,

Resolved, That the petition and all the papers and evidence in relation to the claim of Barns and Hinman, be taken from the files of this House and referred to the committee on claims.

On motion of Mr. Richards,

Resolved, That the reporters be furnished with files and documents the same as the members.

On motion of Mr. Gott,

Resolved, That the vote on the bill to repeal the charter of the Canaan and Union Village turnpike road be reconsidered, and the bill be referred back to the committee on roads and bridges.

On motion of Mr. Benedict,

Resolved, That the committee on public printing be required to ascertain and report the probable expense of printing each document or matter referred to them, at the same time they make their report upon the matter so referred.

Mr. Mather offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) That our Representatives in Congress be requested, and our Senators in Congress be instructed to procure, as speedily as possible, the organization of the territory of Nebraska, with the largest limits and with slavery and involuntary servitude forever excluded therefrom, and prohibited therein except for crimes whereof the party shall have been duly convicted.

Ordered, That said resolution be laid on the table.

Mr. Chesebro offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That hereafter when the bill for the suppression of Intemperance is the special order, that no persons be admitted within the bar of the House, except the members, reporters, officers of the House and ladies; and that the officers of the House see that this resolution is carried into effect.

Debate was had thereon, when

Ordered, That said resolution be laid on the table.

Mr. Benedict offered for the consideration of the House a preamble and resolutions in the words following, to wit:

Whereas, It is desirable that this Legislature should ascertain, as far as practicable, the will and judgment of the electors of this State, upon the expediency and necessity of the passage of a prohibitory liquor law so called, therefore

Resolved, (If the Senate concur,) That on the third Wednesday of February next, at the special election to be held on that day, the inspectors of election of each election district within the several towns and cities of this State, are hereby directed to prepare a ballot box to be kept by them during that day, while said polls of election are kept open, for the purpose of receiving the votes of said electors, upon the question whether they are in favor of the passage or against the passage of a prohibitory liquor law so called;

Resolved, That the several electors of this State be requested to deposit their several votes on that day, either in favor of or against the passage of a prohibitory liquor law, so called, according to the dictates of their several judgments upon that question.

Resolved, That the form of the ballot to be used at said election for that purpose, shall be as follows: for those who shall vote in favor of a prohibitory liquor law, shall be written or printed on said ballot, as follows: "in favor of a prohibitory law;" for those who shall vote against a prohibitory liquor law, shall be written or printed on said ballot, as follows: "against a prohibitory law;" and the said ballots shall be folded up, but not endorsed in any manner. The said inspectors shall observe the same laws in receiving, canvassing, and making returns of said votes as are observed by inspectors, at the general election held in this State.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. Germain,

Resolved, That the petition of the citizens of Buffalo, presented to the Legislature in 1851, relating to the Black Rock Harbor, and report of the Canal Board thereon, be referred to the canal committee.

On motion of Mr. Weed,

Resolved, That the Auditor of the Canal Department be re-

quested to communicate to this House, as early as practicable, the number of canal boats that have passed each way through the Oneida River improvement, and the Oneida lake, between Three River point and Higginsville, going to and returning from tide water, during the season of navigation, for the year 1852, also 1853, and the amount of through freight that has passed through the Oneida lake each way, the amount of tolls received on the same between the points aforesaid, and how much more toll would have been received, if the same property had passed through the Oswego canal by way of Syracuse.

On motion of Mr. Hinckley,

Resolved, That the clerk of the Senate be requested to transmit to the chairman of the committee of this House, on railroads, all petitions relating to the Sacketts Harbor and Saratoga railroad, from and including those of 1848, to the present time.

On motion of Mr. Cook,

Resolved, That the committee on militia and public defence, be instructed to enquire into and report to the House, what legislation, if any, is necessary to carry out the provisions of the act entitled "An act authorising additional pay to be made to the volunteers, and for paying the militia called into service by the State authority, passed October 21, 1814;" and also, "An act for the relief of certain volunteers and militia called into service for the defence of the frontiers of the State, in the late war with Great Britain, and for other purposes, passed April 21st, 1818."

On motion of Mr. S. Baldwin,

Resolved, That the bill relating to the Fine and Watson road, in the county of St. Lawrence, referred to the committee on commerce and navigation, be taken therefrom, and referred to the committee on roads and bridges.

On motion of Mr. Scott,

Resolved, That the papers of Jacob Keistler and Luke P. Babcock, relative to their claim for canal damages, be taken from the files and referred to the committee on claims.

By unanimous consent,

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to notaries public," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

By unanimous consent,

Mr. Barnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act relating to divorces dissolving the marriage contract," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

By unanimous consent,

Mr. Burnett, from the committee on the judiciary, to which

was referred the bill entitled "An act to amend the Revised Statutes in relation to the crime of arson," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to provide additional compensation to jurors in attending upon courts of record in Erie county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the taking of recognizance in the city and county of New-York upon charges of felony, and to extend the provisions of the Code of Procedure to proceedings in forfeiture of the same," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of Thomas Wiltsie."

"An act for the relief of Royal T. Alvord."

"An act to amend chapter 172, Laws of 1826, entitled 'An act to incorporate the Ovid Academy, and for other purposes,' passed April 13, 1826."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Collins, from said committee, reported that the committee had gone through with said first mentioned bill, and agreed to the same without amendment.

Mr. Payne moved to amend said bill by striking out the second section, said amendment having been offered in committee of the whole, and inserting in its stead the following:

§ 2. The Treasurer shall pay on the warrant of the Auditor such sum to the said Thomas Wiltsie, as shall be allowed in pursuance of the first section of this act, out of any monies appropriated, or which may hereafter be appropriated, to the payment of ordinary repairs of the canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Payne, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said report as amended, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Collins, from said committee, reported that the committee had gone through with said second mentioned bill, and agreed to the same without amendment.

Mr. Payne moved to amend said bill by striking out the second section, said amendment having been offered in committee of the whole, and inserting in its stead the following :

§ 2. The Treasurer shall pay, on the warrant of the Auditor, such sum to the said Royal T. Alvord as shall be allowed in pursuance of the first section of this act, out of any money appropriated, or which may hereafter be appropriated, to the payments of ordinary repairs of the canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Payne, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said report, as amended, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Collins also reported that the committee had gone through said third mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows, to wit :

"An act to extend the time for the annual report of fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

The House then resolved itself into a committee of the whole, on the following entitled bills :

"An act in relation to the Black River and Utica railroad company, empowering it to apply for appraisal of land on complying with certain conditions."

"An act to erect the town of Horseheads from the town of Elmira, in the county of Chemung."

"An act in relation to the Ogdensburgh, Clayton and Rome railroad company, to empower them to apply to the court for commissioners of appraisal, &c., on line of road from Rome to Ogdensburgh."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Boardman, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading

By unanimous consent,

Mr. Case, from the committee on insurance companies, to which was referred the Senate bill entitled "An act to extend the time

for the annual report of fire insurance companies," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the following entitled bills :

"An act to extend the time for the report of Fire insurance companies.

"An act to incorporate the Sixpenny savings bank in the city of Rochester."

"An act to authorise the appraisal of canal damages to Frederick Gosskoff."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Randall, from said committee, reported that the committee had gone through said first and third mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. Randall, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

The House then resolved itself into a committee of the whole on the following entitled bills :

"An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison, by Zalmon J. McMaster and Jacob T. Merrit.

"An act to authorise the New-York and Erie bank to change its place of business."

"An act to incorporate the United States Inebriate asylum for the reformation of the poor and destitute inebriate."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. Baldwin, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Clark moved that when this House adjourn, it adjourn to meet on Monday next, at seven o'clock, p. m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clark, and it was determined in the negative.

On motion of Mr. R. J. Baldwin,

At twenty minutes to two o'clock, the House adjourned.

MONDAY, JANUARY 30, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The minutes of Saturday were read and approved.

Messrs. Spencer and Hopkins, a select committee from the Senate, appeared, and announced that that body had elected the Hon. A. B. Dickinson, president pro tem.

Mr. Littlefield, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows, to wit:

"An act for the relief of Royal T. Alvord."

"An act for the relief of Thomas Wiltsie."

"An act to erect the town of Horseheads, from the town of Elmira, in the county of Chenango."

"An act in relation to the Utica and Black River railroad company, empowering it to apply for appraisal of land damages, on certain conditions."

"An act in relation to the Ogdensburgh, Clayton and Rome railroad company, to empower them to apply to the courts for commissioners of appraisal, &c., on line of road from Rome to Ogdensburgh."

"An act to amend chapter 172, Laws of 1826, entitled 'An act to incorporate the Ovid academy, and for other purposes.'"

Mr. Burnett presented the petition of sundry inhabitants of Essex county, for an appropriation to remove obstructions in Minerva creek and Trout brook in said county, which was read and referred to the committee on commerce and navigation.

Mr. Burnett presented the memorial of certain citizens of Essex co., praying for the appointment of A. P. Morse, to fill the office of commissioner, &c., rendered vacant by the decease of Edward Talbott, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Freeman presented the petition of the Medina and Alabama plank road company for an act to abandon their road, which was read and referred to the committee on roads and bridges.

Mr. Gibbs presented the petition of James M. Warner, for relief, which was read and referred to the committee on claims.

Mr. Scott presented the petition of Ezekial A. Durmont, and other lock tenders on the Seneca & Cayuga canal, for redress, which was read and referred to the committee on canals.

Mr. Lozier presented three petitions of citizens of Allegany, Steuben and Livingston counties, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Stephens presented two petitions for the same object,

which were read and referred to the committee on the erection and division of towns and counties.

Mr. Gibbs presented the remonstrance of inhabitants of Mount Morris, against the division of the county of Livingston, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Williams presented the petition of 178 legal voters of the town of Woodhull, in Steuben co., for a division of said county, with the county buildings at Addison, and remonstrating against confirming the acts of the commissioners appointed to locate the public buildings in the southern jury district in said county, which was read and referred to the committee on the judiciary.

Mr. Kirkland presented the petition of supervisors and other officers of the county of Cattaraugus, for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Neilson presented the petition of Catharine A. Winslow and others, for a law changing the name of William S. Winslow, to William S. Waterman, which was read and referred to the committee on the judiciary.

Mr. Mosely Hutchinson presented the petition of a committee appointed by the board of supervisors of Cayuga co., to sell the real estate and other property belonging to the poor fund of said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhabitants of the town of Lenox, Madison co., to be authorised to raise money for road purposes, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the town of Lenox to raise money by tax for road purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Henry Dygert, praying for relief for loss of canal boat and furniture, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Henry Dygert, for the loss of a canal boat and property," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Harris, from the committee on militia and public defence, to which was referred the bill entitled "An act for the better organization of the uniformed militia in Richmond co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An

act to amend an act entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' passed March 23, 1854," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Moses W. Lester, praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Moses W. Lester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the accounts of town officers,' passed May 14, 1840," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Speaker presented the third annual report of the trustees of the State asylum for idiots.

Resolved, That 2,000 copies of the annual report of the trustees of the State asylum for idiots, be printed for the use of the Legislature, and 500 copies for the trustees and superintendent.

Ordered, That said resolution be referred to the committee on public printing.

The Senate bill entitled "An act for the relief of the Lockport and Cambria plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 04 }

Those who voted in the affirmative are,

Adams	Crocheron	Mat. Hutchinson	L. Miller	Sheeley
Bailey	Dawson	Mos. Hutchinson	Mitchell	Speaker
R. J. Baldwin	Dewey	Joy	Morris	Stephens
S. Baldwin	A. A. Dunlop	Kinney	Nelson	Suffern
Barton	B. Dunlap	Kirkland	Palmer	Thompson
Bausus	Edwards	Lee	Payne	Underwood
Beers	Ferguson	Littlefield	Preston	Ward
Benedict	Freeman	Littlejohn	Randall	Wart
Bennett	Gibbs	Lozier	Richardson	Weed
Bergen	Gorham	Mallory	Ross	Whipple
Boyd	Harpur	Mather	Rowland	Wilson
Brust	Harris	McGraw	Scott	Wilder
Case	Hatch	McMurray	Seeley	Winne
Cook	Holdridge	Mills	Sharp	D. P. Wood
Coat	Hoyle			

Those who voted in the negative are,

Chesebro S. F. Miller Whitman Williams

4

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to provide for an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Chesebro	Harris	Mills	Sheeley
Bailey	Cook	Hoyle	S. F. Miller	Speaker
R. J. Baldwin	Cost	Mat. Hutchinson	Mitchell	Stephens
S. Baldwin	Crocheron	Mos. Hutchinson	Morris	Snuffern
Barton	Cumming	Joy	Nelson	Thompson
Baucus	Dawson	Kinney	Noble	Ward
Beers	Dewey	Kirkland	Palmer	Wart
Benedict	R. Dunlap	Lee	Payne	Weed
Bennett	Edwards	Leigh	Preston	Whitman
Bergen	Ferguson	Littlefield	Randall	Wilson
Boyd	Freeman	Littlejohn	Richards	Wilder
Brust	Gibbs	Lozier	Richardson	Williams
Burnett	Gorham	Mather	Rowland	Winne
Case	Harpur	McMurray	Scott	D. P. Wood 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Black River and Utica railroad company, empowering it to apply for appraisal of land on complying with certain conditions," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Hoyle	S. F. Miller	Seeley
Bailey	Crocheron	Hull	Mitchell	Sharp
R. J. Baldwin	Dawson	Mat. Hutchinson	Morris	Speaker
S. Baldwin	Dewey	Mos. Hutchinson	Nelson	Stephens
Baucus	A. A. Dunlop	Kirkland	Noble	Sterling
Benedict	R. Dunlap	Lee	Palmer	Snuffern
Bennett	Edwards	Leigh	Payne	Thompson
Bergen	Freeman	Littlejohn	Preston	Ward
Boyd	Gibbs	Lozier	Randall	Weed

Brust	Gorham	McGraw	Richards	Wilson
Burnett	Harpur	McMurray	Richardson	Wilder
Case	Harris	Mills	Rowland	Winne
Chesebro	Hatch	L. Miller	Scott	D. P. Wood
Collins	Howell			

67

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Ogdensburgh, Clayton & Rome railroad company, to empower them to apply to the court for commissioners of appraisal, &c., on line of road from Rome to Ogdensburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Crocheron	Hoyle	Mitchell	Sharp
Bailey	Dawson	Mat. Hutchinson	Nelson	Speaker
S. Baldwin	Dewey	Mos. Hutchinson	Noble	Stephens
Beers	Edwards	Joy	Palmer	Sterling
Benedict	Ferguson	Kinney	Payne	Suffern
Bennett	Freeman	Kirkland	Preston	Ward
Bergen	Gibbs	Lee	Randall	Wart
Boyd	Gorham	Legg	Richards	Weed
Burnett	Harpur	Leigh	Richardson	Whipple
Case	Harris	Littlejohn	Rose	Whitman
Collins	Hatch	Lozier	Rowland	Wilson
Conkling	Holdridge	Mallory	Scott	Wilder
Cost	Howell	McGraw	Seeley	D. P. Wood

68

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to extend the time for the annual report of fire insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES. 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Crocheron	Hoyle	McGraw	Speaker
Barton	Cumming	Hall	McMurray	Stephens
Baucus	Dawson	Mat. Hutchinson	Mills	Sterling
Beers	Dewey	Mos. Hutchinson	L. Miller	Suffern
Benedict	A. A. Dunlop	Joy	Mitchell	Thompson
Bennett	R. Dunlap	Kinney	Morris	Ward
Bergen	Edwards	Lee	Noble	Weed
Boyd	Freeman	Legg	Palmer	Whipple
Brust	Gibbs	Leigh	Payne	Whitman
Burnett	Gorham	Littlefield	Preston	Wilson

Case	Harpur	Littlejohn	Randall	Wilder
Chesebro'	Harris	Lozier	Scott	Williams
Cook	Hatch	Mallory	Sharp	Winne
Conkling	Howell	Mather	Sheeley	D. P. Wood
Cost				

71

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to change the name of the First Congregational society of Batavia," was read a third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, are

Adams	Crocheron	Hull	Mitchell	Speaker
Bailey	Cumming	Mat. Hutchinson	Morris	Stephens
Baker	Cushman	Mos. Hutchinson	Nelson	Sterling
S. Baldwin	Dawson	Joy	Noble	Suffern
Barton	Dewey	Kinney	Palmer	Thompson
Baucus	A. A. Dunlop	Kirkland	Payne	Underwood
Beers	R. Dunlap	Lee	Preston	Ward
Benedict	Edwards	Legg	Randall	Whipple
Bennett	Ferguson	Leigh	Richards	Whitman
Bergen	Fiero	Littlejohn	Richardson	Willson
Boyd	Freeman	Lozier	Rose	Wilder
Brust	Gibbs	Mallory	Rowland	Williams
Case	Harpur	McGraw	Scott	Winne
Chesebro	Harris	G. Miller	Sharp	D. P. Wood
Conkling	Holdridge	L. Miller	Sheeley	W. H. Wood
Cost	Howell	S. F. Miller		

78

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to erect the town of Horseheads, from the town of Elmira, in the county of Chemung," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 02 }

Those who voted in the affirmative are,

Adams	Cost	Hull	McMurray	Searing
Bailey	Crocheron	Mat. Hutchinson	G. Miller	Sharp
Baker	Cumming	Mos. Hutchinson	L. Miller	Sheeley
R. J. Baldwin	Dawson	Joy	S. F. Miller	Speaker
S. Baldwin	A. A. Dunlop	Kinney	Mitchell	Stephens
Barton	R. Dunlap	Kirkland	Morris	Sterling
Beers	Edwards	Lee	Nelson	Suffern

Benedict	Ferguson	Legg	Noble	Underwood
Bennet	Fiero	Leigh	Palmer	Ward
Bergen	Freeman	Littlefield	Payne	Weed
Boyd	Gibbs	Littlejohn	Randall	Whipple
Brust	Harpur	Lozier	Richardson	Whitman
Case	Hatch	Mallory	Rose	Wilson
Chesebro	Holdridge	Mather	Rowland	Wilder
Cook	Howell	McGraw	Scott	Williams
Conkling				

76

Those who voted in the negative are,

Burnett Mills

2

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend chapter 172, Laws of 1826, entitled 'An act to incorporate the Ovid academy, and for other purposes,' passed April 13, 1821," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Conkling	Harris	Mather	Rowland
Bailey	Cost	Holdridge	McGraw	Searing
S. Baldwin	Crocheron	Howell	McMurray	Seeley
Barton	Cumming	Hull	Mills	Sheeley
Baucus	Cushman	Mat. Hutchinson	L. Miller	Speaker
Beers	Dawson	Mos. Hutchinson	S. F. Miller	Stephens
Benedict	Dewey	Joy	Mitchell	Sterling
Bennett	A. A. Dunlop	Kinney	Morris	Suffern
Bergen	R. Dunlap	Kirkland	Nelson	Ward
Boyd	Edwards	Lee	Noble	Weed
Brust	Fiero	Legg	Payne	Whitman
Case	Freeman	Littlejohn	Preston	Wilder
Cook	Gibbs	Lozier	Richardson	Winne
Collins	Harpur	Martin	Rose	D. P. Wood

70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the Monticello and Wurtsboro plank road company, to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes,' passed May 26, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 01 }

Those who voted in the affirmative are,

Bailey	Cost	Hoyle	Mills	Sharp
R. J. Baldwin	Crocheron	Mat. Hutchinson	L. Miller	Sheeley
S. Baldwin	Cumming	Mos. Hutchinson	S. F. Miller	Stephens
Barton	Cushman	Joy	Mitchell	Sterling
Bancus	Dewey	Kinney	Nelson	Suffern
Beers	A. A. Dunlap	Lee	Noble	Thompson
Benedict	R. Dunlap	Legg	Palmer	Ward
Bennett	Edwards	Leigh	Payne	Wart
Bergen	Ferguson	Littlefield	Randall	Weed
Boyd	Fiero	Littlejohn	Richardson	Whipple
Brust	Freeman	Mallory	Rose	Wilson
Burnett	Gorham	Mather	Rowland	Wilder
Cass	Harpur	McGraw	Scott	Williams
Cook	Harris	McMurray	Seeley	Wiane
Conkling	Holdridge			

72

For the negative,

Chesebro

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act for the relief of Royal T. Alvord," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Holdridge	McMurray	Sheeley
Bailey	Crocheron	Hoyle	Mills	Speaker
R. J. Baldwin	Cumming	Hull	L. Miller	Sterling
S. Baldwin	Cushman	Mat. Hutchinson	S. F. Miller	Suffern
Barton	Dawson	Mos. Hutchinson	Mitchell	Thompson
Bancus	Dewey	Joy	Nelson	Underwood
Beers	R. Dunlap	Kinney	Noble	Ward
Benedict	Edwards	Kirkland	Palmer	Wart
Bennett	Ferguson	Lee	Preston	Weed
Bergen	Fiero	Legg	Randall	Whipple
Boyd	Freeman	Leigh	Richards	Whitman
Brust	Gibbs	Littlefield	Richardson	Wilson
Cass	Gorham	Lozier	Rose	Wilder
Chesebro	Harpur	Mallory	Rowland	Williams
Cook	Harris	Mather	Scott	Winne
Conkling	Hatch	McGraw	Sharp	D. P. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Thomas Wiltsie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assem-

bly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Conkling	Hatch	Mather	Scott
Bailey	Cost	Holdridge	McGraw	Seeley
R. J. Baldwin	Crocheron	Howell	McMurray	Sharp
S. Baldwin	Cumming	Hoyle	Mills	Sheeley
Barton	Cushman	Hull	L. Miller	Speaker
Baucus	Dawson	Mat. Hutchinson	S. F. Miller	Sterling
Beers	Dewey	Mos. Hutchinson	Mitchell	Suffern
Benedict	A. A. Dunlop	Kinney	Morris	Thompson
Bennett	Edwards	Kirkland	Nelson	Underwood
Bergen	Ferguson	Lee	Noble	Ward
Boyd	Fiero	Legg	Palmer	Wart
Brust	Freeman	Leigh	Payne	Weed
Burnett	Gibbs	Littlefield	Preston	Whitman
Cass	Gorham	Littlejohn	Randall	Wilson
Chasebro	Harpur	Lozier	Richards	Williams
Cook	Harris	Mallory	Rowland	D. P. Wood
Collins				

81

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate bill entitled "An act to authorize the appraisal and payment of canal damages to Frederick Gosskoff," was taken up for a third reading;

On motion of Mr. R. Dunlap, and by unanimous consent,

Said bill was amended, by striking out the second section, and inserting the following: § 2. The treasurer shall pay, on the warrant of the Auditor, such sum, if any, as may be awarded under the first section of this act, to said Frederick Gosskoff, out of any money in the treasury appropriated, or to be appropriated to the payment of canal damages."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Howell	McMurray	Sharp
Bailey	Crocheron	Hoyle	Mills	Speaker
Baker	Cumming	Hull	L. Miller	Stephens
R. J. Baldwin	Cushman	Mat. Hutchinson	S. F. Miller	Sterling
S. Baldwin	Dawson	Mos. Hutchinson	Mitchell	Suffern
Baucus	Dewey	Joy	Morris	Thompson
Beers	A. A. Dunlop	Kinney	Nelson	Underwood
Benedict	R. Dunlap	Kirkland	Noble	Ward
Bennett	Edwards	Lee	Palmer	Wart

Bergen	Ferguson	Legg	Payne	Weed
Boyd	Fiero	Leigh	Preston	Whipple
Brust	Freeman	Littlefield	Randall	Whitman
Burnett	Gibbs	Littlejohn	Richards	Wilson
Case	Gorham	Lozier	Richardson	Wilder
Chesebro	Harpur	Mallory	Rose	Williams
Cook	Harris	Mather	Rowland	Winne
Collins	Hatch	McGraw	Seeley	D. P. Wood
Conkling	Holdridge			

87

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act for the relief of Thomas Canavan, Thomas Sausse, James Brady and Hugh Kelly," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Howell	Mills	Speaker
Railey	Crocheron	Hoyle	L. Miller	Stephens
R. J. Baldwin	Cumming	Hull	S. F. Miller	Sterling
S. Baldwin	Cushman	Mat. Hutchinson	Mitchell	Suffern
Barton	Dawson	Mos. Hutchinson	Morris	Thompson
Baucus	Dewey	Joy	Nelson	Underwood
Beers	A. A. Dunlop	Kinney	Noble	Ward
Benedict	R. Dunlap	Kirkland	Palmer	Wart
Bennett	Edwards	Lee	Payne	Weed
Bergen	Ferguson	Legg	Preston	Whipple
Boyd	Fiero	Leigh	Rose	Whitman
Brust	Freeman	Littlefield	Rowland	Wilson
Burnett	Gibbs	Littlejohn	Scott	Wilder
Case	Harpur	Lozier	Seeley	Williams
Chesebro	Harris	McGraw	Sharp	Winne
Conkling	Holdridge	McMurray	Sheeley	D. P. Wood

80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Randall gave notice that he would, at some future day, ask leave to introduce a bill to incorporate a savings bank in the village of Elmira.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill amending the charter of the Granite insurance company.

Mr. Mosely Hutchinson gave notice that he would, at some early day, ask leave to introduce a bill to authorize a committee appointed by the board of supervisors of the county of Cayuga, to sell the real estate and other property belonging to the poor fund of said county, and to discontinue the office of superintendent of poor thereof.

Mr. Lozier gave notice that he would, at some future day ask leave to introduce a bill to amend the charter of the village of Dansville, in relation to road work.

Mr. Harris gave notice that he would, at some future day, ask leave to bring in a bill to regulate the tax on raw cotton sold in bales.

In pursuance of previous notice, Mr. S. Baldwin, for Mr. Hall, asked and obtained leave to bring in a bill entitled "An act to amend the charter of the village of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. S. Baldwin, for Mr. Hall, asked and obtained leave to bring in a bill entitled "An act to incorporate the Ogdensburgh water works company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Seely asked and obtained leave to bring in a bill entitled "An act authorising the Butter-nuts and Oxford turnpike company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Lozier asked and obtained leave to introduce a bill entitled "An act to authorise the erection of the county of Harrison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. A. A. Dunlop asked and obtained leave to introduce a bill entitled "An act for the relief of the assessors of the city and county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Wilson,

Resolved, That the papers on file in relation to the claim of Francis J. LeValley, be taken from the files and referred to the committee on claims.

Mr. Harris offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the clerk be directed to procure fifteen hundred additional copies of the diagram of the Assembly chamber, for the use of the members and officers.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Hull,

Resolved, That the engrossed bill from the Senate, entitled "An act to promote medical science," with the amendments to the

same as proposed by the committee on medical societies and colleges, in this House, be printed.

Mr. Mallory offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That while this House is in committee of the whole on the bill for the suppression of intemperance, no member shall speak more than five minutes at one time, nor more than once on the same question or motion, without the permission of the House; but this resolution shall not apply to any discussion that may arise upon the general merits of the bill after the same shall have been gone through with and amended as heretofore ordered.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

Mr. R. J. Baldwin offered for the consideration of the House, a preamble and resolution, in the words following, to wit:

Whereas, A special election is appointed by law to be held throughout this State, on the 15th day of February next, at which a discharge by the members of the Legislature, of their duties as citizens will be impossible if they remain at the Capitol, therefore,

Resolved, (If the Senate concur,) That when this House adjourns on Friday, February 10th, it will adjourn to meet on Thursday, February 16th, at 12 o'clock, m., of that day.

Ordered, That said preamble and resolution be laid on the table.

On motion of Mr. Bailey,

Resolved, That the bill to amend an act to divide the county of Steuben into two jury districts, and recommitted to the judiciary committee, when reported back shall retain its number on the general orders.

On motion of Mr. D. P. Wood,

Resolved, That the Commissioners of the Land Office report to this House, at the earliest day practicable, what repairs are necessary or advisable to be made to the Old State Hall, at the present time, and the expense thereof.

On motion of Mr. Williams,

Resolved, That the petitions and remonstrance against the location of the half shire buildings at Corning, in Steuben co., which was referred to the committee on the erection and division of towns and counties, be taken from the files of said committee, and referred to the judiciary committee.

The House then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorise the New-York and Erie bank to change its place of business."

Senate bill, "An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison, by Zalmon J. McMaster and Jacob T. Merrit.

And after some time spent thereon, Mr. Speaker resumed the

chair, and Mr. S. Baldwin, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the Senate bills entitled as follows, to wit:

"An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State, to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852."

'An act to authorise the Watervliet plank road company to abandon that portion of their road lying within the bounds of the corporation of West Troy, and to amend their charter."

"An act to authorise the Ogdensburgh Marine railway company to borrow money and issue bonds."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Payne, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Payne, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Payne, from said committee, reported that the committee had gone through said third mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

On motion of Mr. Bergen,

At a quarter to two o'clock, p. m., the House took a recess until seven o'clock, p. m.

SEVEN O'CLOCK, P. M.

The House again met.

Mr. Peters moved that the bill entitled "An act for the suppression of intemperance," be made the special order for to-morrow, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative, two-thirds not voting in favor thereof.

Mr. Speaker announced the special order, it being the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole, on said bill.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again:

On motion of Mr. Leigh,

The bill entitled "An act for the suppression of intemperance," was made the special order for to-morrow evening, seven o'clock, two-thirds present voting in favor thereof.

On motion of Mr. Wart,

At half-past nine o'clock, p. m., the House adjourned.

TUESDAY, JANUARY 31, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The minutes of yesterday were read and approved. .

Mr. Speaker presented the annual report of the Canal Commissioners.

(See Ass. Doc. No. :)

Mr. Littlejohn offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 5,000 extra copies of the annual report of the Canal Commissioners, be printed for the use of the Legislature, and 2,000 copies for the Canal Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the annual report of the trustees of the Astor library.

(See Ass. Doc. No. .)

Mr. Conkling offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 1,000 extra copies of the report of the trustees of the Astor library, be printed for the use of this House, and 1,000 for the use of the trustees.

Ordered, That said resolution be referred to the committee on public printing.

This being the day prescribed by the rules for general orders, The House then resolved itself into a committee of the whole on the following entitled bills:

"An act to incorporate the Howard Water-Works company."

"An act to provide for the payment of canal damages to Thomas Goodsell."

"An act to incorporate the Newburgh Industrial Savings Institution."

Pending consideration of the same, at a quarter before two o'clock, p. m., Mr. Speaker resumed the chair, and the House took a recess until seven o'clock, p. m.

SEVEN O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to amend or correct an act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins, passed June 4, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to the Natural History of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies, and common schools:

"An act to amend an act for the relief of Samuel Bell and Washington A. H. Bogardus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of St. Luke's Hospital in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to facilitate the developement of lead mines in the town of Rossie, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act permitting the inhabitants of the several towns in the county of Sullivan, to decide by vote, at their annual town meeting, whether they will have one, two, or three assessors for each town in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to provide for raising moneys upon the town of Lyons, to rebuild a bridge therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Speaker announced the special order, it being the consideration of the bill entitled "An act for the suppression of intemperance."

Mr. Leigh moved that the aforesaid bill be made the special order for to-morrow, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the negative, two-thirds present not voting in favor thereof.

Mr. Leigh then moved that said bill be made the special order for to-morrow evening, at seven o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the affirmative, two-thirds voting in favor thereof.

Mr. Speaker again announced the special order, it being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole on said bill:

After some time spent thereon, Mr. Speaker resumed the chair and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Collins,

At nine o'clock, p. m., the House adjourned.

WEDNESDAY, FEBRUARY 1, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The minutes of yesterday were read and approved.

On motion of Mr. Whitman,

Leave of absence for ten days was granted to Mr. White.

On motion of Mr. Gott,

Leave of absence was granted to Mr. Collins until Thursday next week.

Mr. Speaker presented a communication from the Commissioners of the Land Office, in answer to a resolution of the Assembly of June 9th, 1853, relative to claims to Indian lands, which was read and referred to the committee on Indian affairs.

Mr. Harpur presented the petition of inhabitants of Colesville in favor of the passage of the Maine law, without submission to the people, which was read and committed to the committee of the whole.

Mr. Harpur presented the petition of 36 inhabitants of Bridgton and Colesville, for the same object, which was read and committed to the committee of the whole.

Mr. Baucus presented 4 petitions of inhabitants of the county of Saratoga, for the same object, which were read and committed to the committee of the whole.

Mr. Randall presented six several petitions of inhabitants of voters in the counties of Chemsung, Tompkins and Steuben, pr

ing for the erection of a new county from territory about the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Scott presented 6 petitions for the passage of a prohibitory liquor law, which were read and committed to the committee of the whole.

Mr. Bergen presented the petitions of 2,170 citizens of Williamsburgh, for the same object, which were read and committed to the committee of the whole.

Mr. Sterling presented the petition of 661 females and 180 males of Fulton co., also, the petition of 190 inhabitants of Rhinebeck, Dutchess co., also, the petition of 395 inhabitants of Albany, also, the petition of 46 inhabitants of the town of Northeast, Dutchess co., for a prohibitory liquor law, which were read and committed to the committee of the whole.

Mr. Fiero presented 4 remonstrances of inhabitants of the towns of Windam, Ashland and Prattsville, against any amendment to the charter of the Schoharie Kill Bridge company, which were read and referred to the committee on roads and bridges.

Mr. Payne presented the petition of citizens of the county of Monroe, for the repeal of an act passed April 10, 1850, making the expense of the several boards of health a county charge, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Gibbs presented the remonstrance of sundry inhabitants of towns in the county of Livingston, against a division of said county; which was read and referred to the committee on the erection and division of towns and counties.

Mr. Weed presented the remonstrance of citizens of Leister, in Livingston co., for the same object, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Whitman presented the petition of inhabitants of Lenox, to be exempted from the law of 1853, allowing highway labor on plank roads, which was read and referred to the committee on roads and bridges.

Mr. Cumming presented the remonstrance of C. C. Ellis, and 248 other citizens of New-York, against permitting the Hudson river railroad to run their cars south of One Hundred and Twenty-Fifth-st., in the city of New-York, which was read and referred to the committee on railroads.

Mr. Payne presented the petition of Samuel Rich, for damages occasioned by a break at Brighton, in May 1853, which was read and referred to the committee on claims.

Mr. Payne presented the petition of John Noyes, and John F. Buckley, for damages occasioned by breaks on the Erie canal, in Brighton, which was read and referred to the committee on claims.

Mr. Angle presented the petition of J. D. Williams, for damages by reason of the sinking of canal boat "Union," which was read and referred to the committee on claims.

Mr. Crocheron presented the petition of 173 inhabitants of Richmond co., for an act to prohibit the boards of supervisors of Westchester or any other county of this State, from passing laws to interfere with the citizens of Richmond co., in fishing or oystering in the public waters or lands under water in this State, which was read and referred to the committee on commerce and navigation.

Mr. Cushman presented two petitions of inhabitants of all classes for the Newburgh Industrial Savings bank, which were read and committed to the committee of the whole.

Mr. Baker presented the petition of Abraham Roseboom, for appraisal and payment of canal damages, which was read and referred to the committee on claims.

Mr. Baker presented the petition of H. E. Williams, also the petition of S. Tingue, for the appraisal and payment of canal damages, which were read and referred to the committee on claims.

Mr. Lozier presented three petitions of citizens of Allegany and Steuben counties, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Stephens presented eight petitions of citizens of Allegany, Steuben and Livingston counties, for the same purpose, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Weed presented the remonstrance of citizens of Portage, in Livingston co., against dividing said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Weed presented five remonstrances of inhabitants of the town of Chatham, against the repeal of an act incorporating the Canaan turnpike company, which were read and referred to the committee on roads and bridges.

Mr. Smalley presented the petition of the treasurer of the county of Putnam, for a law compelling the treasurer of Dutchess county to pay certain expenses incurred in a murder trial, which was read and referred to the committee on the judiciary.

Mr. Gleason presented the remonstrance of inhabitants of Saratoga county, against any change of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Gleason presented the petition of H. C. Granger and others of Saratoga county, for changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Speaker presented the memorial of George Davidson of Albany, in relation to intemperance, which was read and committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the petition of inhabitants of Oneida co., praying for an appropriation for the support of Indian schools, among the Oneida Indians, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the education of the children of the Oneida Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Leonard Lewis, praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Leonard Lewis," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Ebenezer Prescott praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Ebenezer Prescott," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Stephen S. Wilcox, praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Stephen S. Wilcox," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the petition of Henry Jordan and others, praying for compensation for services rendered the State as interpreter, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Henry Jordan, an Indian of the Oneida tribe, for services as interpreter and agent for said Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sessions, from the committee on ways and means, to which was referred the Senate bill entitled "An act to fix the salary of the Auditor of the Canal Department," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' as far as the same

relates to the village of Tonawanda, in the counties of Erie and Niagara," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the petition of the common council of the city of Troy, praying for power to take a census of the wards of said city, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to increase the number of wards and ward officers in the city of Troy,' passed April 17, 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of Lewis Beebe and others, for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Lewis Beebe, James L. Beebe, and John W. Beebe, for extra pay for labor on canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act as to unclaimed dividends and deposits in banks, savings institutions and trust companies," reported that the committee had examined said bill, made no amendments thereto, and have instructed their chairman to report the same to the House for its consideration.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the extension of the Black creek or Crozier swamp, in the county of Ulster,' passed June 4, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of the board of supervisors of Cayuga county, praying for power to sell the real estate and other property of the poor fund, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the sale of real estate and personal property belonging to the poor fund of the county of Cayuga, and to abolish the office of superintendent of poor thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the petition of Luther Buxton, praying for an amendment of the law to prevent the sale of intoxicating liquors to Indians, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the benefit of Indians,' passed April 11, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition and papers relating to the claim of John Lockentelly and David Lemonier, for compensation for loss of canal boat, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of John Lockentelly and David Lemonier, for compensation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Littlejohn,

Ordered, That the petitions of John Wheadon and others, for relief, be taken from the committee on canals, and referred to the committee on claims.

Mr. Kimney, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act to amend the charter of St. Luke's Hospital in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print four times the usual number of the majority and minority reports of the committee on commerce and navigation, on the bill to incorporate companies formed to navigate the lakes, rivers and canals of this State, reported in favor of the adoption of the following resolution:

Resolved, That four times the usual number of the majority and minority reports of the committee on commerce and navigation, on the bill to incorporate companies formed to navigate the lakes, rivers and canals of this State, be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of the board of supervisors of Chenango county, for a law to levy a tax upon the town of Oxford, praying for said tax to be levied, reported against the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act permitting the inhabitants of the several towns in the county of Sullivan, to decide by vote, at their annual town meeting, whether they will have one, two or three assessors for each town in said county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Fiero, from the committee on banks, to which was referred the petition of the Buffalo savings bank, asking the Legislature to pass a law authorising said bank to receive deposits to the amount of \$1,000,000, reported against the prayer of the petitioner, which report was agreed to.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act authorising the sale or abandonment of plank roads in the county of Oneida," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of inhabitants of Fulton and Montgomery counties, praying for an act to amend an act entitled "An act in relation to plank roads, passed June 30, 1853," reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act in relation to plank roads,' passed June 30th, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the Saratoga and Hadley plank road company to increase their number of toll gates," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act allowing the inhabitants occupying lands on the line of the Callicoon and Cochecton turnpike company, to be assessed for highway labor upon said turnpike," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the board of supervisors of the county of Montgomery, praying for an act to repeal chapter 609, of

the Laws of 1853, reported, and asked and obtained leave to introduce a bill entitled "An act to repeal chapter 609, of the Laws of 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of stockholders of the Medina and Alabama plank road company, praying for an act to abandon the whole or any part of said road, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the Medina and Alabama plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of sundry persons and of the directors and stockholders of the company hereafter named, praying for leave to abandon a part of their road, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the Butternuts and Oxford turnpike company, to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the stockholders of the Poughkeepsie and Stormville plank road company, praying for relief, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the Poughkeepsie and Stormville plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the relief of the Albany, Schoharie and Rensselaerville plank road company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the directors and stockholders of the Genesee plank road company, praying for an act to confirm an assessment of fifty per cent of their capital stock, for the payment of the debts of said company, reported, and asked and obtained leave to introduce a bill entitled "An act to confirm an assessment of fifty per cent on the amount subscribed to the capital stock of the Genesee river plank road company for the payment of the debts of said company, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the board of supervisors and other citizens of Richmond co., praying for a repeal of the road law of said county, reported, and asked and obtained leave to introduce a bill entitled "An act to repeal the highway law in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend article fourth, title first, part first of the Revised Statutes, in relation to the laying out of highways," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of citizens of Oneida village and Oneida Castle, praying for an act to incorporate the Oneida plank road company, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the Oneida plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozler, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to regulate the salary of the district attorney of the county of Putnam," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the committee on trade and manufacture, to which was referred the Senate bill entitled "An act to facilitate the development of lead mines in the town of Rossie, in the county of St. Lawrence," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 5, title 3, chapter seven, part third of the Revised Statutes, entitled 'Of proceedings to perpetuate testimony,'" reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill, entitled "An act to amend an act for the relief of Samuel Bell and Washington A. H. Bogardus," reported

that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented the fifth annual report of the managers of the Western house of refuge.

Mr. Speaker presented the annual report of the trustees of the Ulster savings institution.

Mr. Speaker also presented the second annual report of the Knickerbocker savings institution of the city of New-York.

The bill entitled "An act to incorporate the Sixpenny savings bank, in the city of Rochester," coming up for its third reading.

Mr. Peters moved to recommit said bill to the committee on banks, with instructions to report a bill for a general law to incorporate savings banks.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 18 }

Those who voted in the affirmative are,

Angle	Conkling	Hull	Monfort	Speaker
Aitken	Crocherson	Mos. Hutchinson	Morris	Stephens
Bailey	Cumming	Jenkins	Nelson	Sterling
Baker	Cushman	Joy	Noble	Suffern
Barton	Dawson	Kinney	Palmer	Thompson
Beacons	Dewey	Littlefield	Payne	Thorn
Beers	A. A. Dunlop	Littlejohn	Richardson	Underwood
Benedict	R. Dunlap	Lazier	Robertson	Ward
Bennett	Edwards	Mallory	Rose	Ware
Bergen	Fiero	Martin	Savage	Wart
Boardman	Freeman	Mather	Scott	Weed
Boyd	Gibbs	May	Searing	Whipple
Brust	Gleason	McGraw	Sessions	Whitman
Burnett	Gorham	McMurray	Seeley	Wilson
Case	Gott	Mills	Sharp	Wilder
Clark	Harris	L. Miller	Sheeley	Willis
Clinton	Holdridge	S. F. Miller	Sin	Winne
Cook	Hollenbeck	Mitchell	Smalley	D. P. Wood 90

Those who voted in the negative are,

Adams	Chesebro'	Mat. Hutchinson	Munroe	Randall
R. J. Baldwin	Cost	Kirkland	Peters	Rowland
S. Baldwin	Howell	Lee	Preston	Williams
Burgess	Hoyle	Legg		18

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill, entitled "An act to authorise the Watervliet plank road company to abandon that portion of their road lying within the bounds of the corporation of West Troy, and to amend their charter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cushman	Joy	Morris	Smalley
Angle	A. A. Dunlop	Kinney	Munroe	Speaker
Aitken	R. Dunlap	Kirkland	Noble	Stephens
S. Baldwin	Fiero	Lee	Palmer	Sterling
Barrow	Freeman	Legg	Payne	Suffern
Beers	Gibbs	Littlefield	Randall	Ward
Benedict	Gleason	Littlejohn	Richardson	Ware
Bennett	Gorham	Lozier	Robertson	Weed
Bergen	Gott	Mather	Savage	Whipple
Boardman	Harris	May	Scott	Whitman
Brust	Holdridge	McGraw	Searing	Wilson
Burgess	Hollenbeck	McMurray	Sessions	Wilder
Burnett	Hull	Mills	Seeley	Winne
Conkling	Mat. Hutchinson	L. Miller	Sharp	D. P. Wood
Cost	Mos. Hutchinson	S. F. Miller	Sill	W. H. Wood
Cumming	Jenkins	Mitchell		

78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The Senate bill, entitled "An act to authorise the Ogdensburgh Marine Railway company to borrow money and issue bonds," coming up for its third reading,

On motion of Mr. Burnett, and by unanimous consent,

Said bill was amended, by inserting after the word "authorised" in the second line of section one, the words following : "on obtaining the consent of the stockholders owning a majority of the stock therein."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Conkling	Hull	McMurray	Sill
Angle	Cost	Mat. Hutchinson	L. Miller	Smalley
Bailey	Crocheron	Mos. Hutchinson	S. F. Miller	Speaker
B. J. Baldwin	Dawson	Jenkins	Monfort	Sterling
S. Baldwin	A. A. Dunlop	Joy	Morris	Suffern
Barrow	R. Dunlap	Kinney	Munroe	Thors

Barton	Edwards	Kirkland	Nelson	Ware
Benedict	Fiero	Lee	Palmer	Weed
Bennett	Freeman	Legg	Preston	Whipple
Bergen	Gleason	Leigh	Richardson	Whitman
Boardman	Harpur	Littlejohn	Robertson	Wilson
Brust	Harris	Lozier	Rowland	Wilder
Burgess	Hatch	Mallory	Scott	Winne
Burnett	Hollenbeck	May	Searing	D. P. Wood
Case	Hoyle	McGraw	Sessions	W. H. Wood
Cook				

76

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The Senate bill, entitled "An act to confirm the title of William O. Buchanan, to certain lands in the county of Niagara," was read a third time.

Mr Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Cost	Mos. Hutchinson	Monfort	Speaker
Angle	Crocheron	Jenkins	Morris	Stephens
Bailey	Cumming	Joy	Munroe	Sterling
R. J. Baldwin	Cushman	Kinney	Nelson	Suffern
S. Baldwin	Dawson	Kirkland	Palmer	Thompson
Barton	Dewey	Lee	Peters	Thorn
Baucus	R. Dunlap	Legg	Preston	Underwood
Beers	Edwards	Leigh	Randall	Ward
Benedict	Fiero	Littlefield	Richardson	Ware
Bennett	Freeman	Littlejohn	Robertson	Wart
Bergen	Gibbs	Lozier	Rose	Weed
Boardman	Gleason	Mallory	Rowland	Whipple
Boyd	Gott	Mather	Savage	Whitman
Brust	Harpur	May	Scott	Wilson
Burnett	Harris	McGraw	Searing	Wilder
Case	Hatch	McMurray	Sessions	Willis
Chesebro	Hollenbeck	Mills	Seeley	Williams
Clark	Howell	G. Miller	Sharp	Winne
Clinton	Hoyle	L. Miller	Sheeley	D. P. Wood
Cook	Hull	S. F. Miller	Sill	W. H. Wood
Conkling	Mat. Hutchinson	Mitchell	Smalley	

104

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

By unanimous consent,

Mr. Thorn, from the committee of the whole, (having been interrupted by the arrival of the hour of adjournment, yesterday,) reported that the committee had gone through with the bill entitled "An act to incorporate the Howard Water-Works company," and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Thorn, from said committee, reported that the committee had gone through with the bill entitled "An act to provide for the appraisal and payment of canal damages to Thomas Goodsell," and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Thorn, from said committee, reported progress on the bill entitled "An act to incorporate the Newburgh Industrial Savings Institution," and asked and obtained leave to sit again.

The bill entitled "An act to incorporate the Howard Water-Works company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 92 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hull	L. Miller	Sharp
Altken	Conkling	Mat. Hutchinson	S. F. Miller	Sheeley
Baker	Cost	Mos. Hutchinson	Mitchell	Smalley
R. J. Baldwin	Crocheron	Jenkins	Monfort	Speaker
S. Baldwin	Cumming	Joy	Morris	Stephens
Barrow	Cushman	Kinney	Palmer	Sterling
Barton	Dawson	Kirkland	Payne	Suffern
Baucus	Dewey	Lee	Peters	Thorn
Beers	A. A. Dunlop	Legg	Preston	Underwood
Benedict	R. Dunlap	Leigh	Randall	Ward
Bennett	Edwards	Littlefield	Richardson	Weed
Bergen	Fiero	Littlejohn	Robertson	Whipple
Boyd	Freeman	Lozier	Rose	Wilson
Brust	Gibbs	Mallory	Rowland	Wilder
Burgess	Gott	Mather	Savage	Willis
Burnett	Harpur	May	Scott	Williams
Case	Harris	McGraw	Sessions	Winne
Chesebro	Hatch	McMurray	Seeley	W. H. Wood
Clark	Hollenbeck			

92

Those who voted in the negative are,

Boardman

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to provide for the appraisal and payment of canal damages to Thomas Goodsell," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative are,

Adams	Chesebro	Holdridge	McGraw	Scott
Angle	Cook	Hollenbeck	McMurray	Sessions
Aitken	Conkling	Hoyle	Mills	Seeley
Bailey	Cost	Hull	G. Miller	Sheeley
Baker	Crocheron	Mat. Hutchinson	L. Miller	Smalley
R. J. Baldwin	Cumming	Mos. Hutchinson	S. F. Miller	Speaker
S. Baldwin	Cushman	Jenkins	Mitchell	Sterling
Barrow	Dawson	Joy	Monfort	Suffern
Barton	Dewey	Kinney	Morris	Thorn
Baucus	A. A. Dunlop	Kirkland	Munroe	Ward
Beers	R. Dunlap	Lee	Nelson	Weed
Benedict	Edwards	Legg	Palmer	Whipple
Bergen	Fiero	Leigh	Payne	Whitman
Boardman	Freeman	Littlefield	Peters	Wilson
Boyd	Gibbs	Littlejohn	Preston	Wilder
Brust	Gott	Lozier	Richardson	Willis
Burgess	Harpur	Mallory	Robertson	Winne
Burnett	Harris	Mather	Rose	D. P. Wood
Case	Hatch	May	Rowland	W. H. Wood 95

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State, to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," coming up for its third reading,

On motion of Mr. Lozier,

Said bill was recommitted to the committee on the internal affairs of towns and counties, for amendment.

Mr. Barrow gave notice that he would, at some early day, ask leave to introduce a bill to amend an act relative to the opening and widening of streets in the city of New-York.

Mr. Barrow gave notice that he would, at some early day, ask leave to introduce a bill to increase the number of commissioners of deeds, in the city of New-York.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill ceding jurisdiction to the United States, over certain lands in, and on the shore of the Hudson river, for lighthouses and purposes connected therewith.

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill to enable the supervisors of the city and county of New-York, to raise money by tax.

Mr. Chesebro gave notice that he would, at some future day, ask leave to introduce a bill to amend an act entitled "An act to equalise taxation," passed May 13, 1846.

Mr. Cushman gave notice that he would, at an early day, ask leave to introduce a bill for the passage of an act to provide for the appointment of police officers in the town of Newburgh, in the county of Orange.

Mr. Dawson gave notice that he would, at an early day, ask leave to introduce a bill to repeal the registry law passed in 1853.

Mr. G. Miller gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes in relation to the proof of wills.

Mr. Suffern gave notice that he would, at an early day, ask leave to introduce a bill to revive an act passed October 21, 1814, authorising additional pay to be made to the volunteers, and for paying the militia called into service by the State authority; and, also, "An act for the relief of certain volunteers and militia, called into service for the defence of the frontiers of the State, in the war of 1812, and for other purposes, passed April 21, 1818."

Mr. Brust gave notice that he would, at an early day, ask leave to introduce a bill to amend the act in relation to the superintendent of the poor of Rensselaer county.

Mr. Littlejohn gave notice that he would, at an early day, ask leave to introduce a bill for the preservation of the Oswego Falls bridge, at Fulton.

Mr. R. J. Baldwin gave notice that he would, at an early day, ask leave to introduce a bill to amend the law relative to the election of overseers of highways, making them elective by the electors of the several road districts, instead of by the electors of the towns at large.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to compel the determination of claims to real property in certain cases.

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill to repeal section seven of an act in relation to the collection of assessments and taxes in the city and county of New-York, and for other purposes.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill respecting the time of payment of sights, drafts, or bills of exchange and checks.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill to prohibit the plea of usury in certain cases.

Mr. Bergen gave notice that he would, at an early day, ask leave to introduce a bill to increase the compensation to the county treasurer of the county of Kings, for services rendered by him under the act of April 12, 1848, relating to funds and securities in possession of the clerk of the court of appeals.

Mr. R. Dunlap gave notice that he would, to-morrow, move to suspend the 4th rule, in order that the bill to amend the act to incorporate the village of Tonawanda, may be referred to a select committee consisting of the Erie and Niagara county delegations, to report complete.

Mr. Gott gave notice that he would, at an early day, ask leave to introduce a bill asking an appropriation to the Hudson orphan asylum.

Mr. Baker gave notice that he would, at an early day, ask leave to introduce a bill to provide for the appraisal and payment of canal damages to Simeon Tingue.

Mr. Beigen gave notice that he would, at an early day, ask leave to introduce a bill to amend an act to incorporate the mariners' savings institution of the city of New-York.

Mr. D. P. Wood gave notice that he would, at an early day, ask leave to introduce a bill to amend and consolidate the charter of the city of Syracuse.

Mr. Baker gave notice that he would, at an early day, ask leave to introduce a bill to provide for the appraisal and payment of canal damages to Henry E. Williams ; also a bill to provide for the appraisal and payment of canal damages to A. Roseboom.

By unanimous consent,

Mr. Bailey asked and obtained leave to introduce a bill entitled "An act authorising the Canal Board to hear and determine the claim of Washington Thurman, Warren Mills and Benjamin A. Werner, for damages sustained by the sinking of a canal boat," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act to incorporate the Penny savings bank of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Bennett asked and obtained leave to introduce a bill entitled "An act to authorise the towns of Sodus, Arcadia and Phelps, to subscribe for stock in the Sodus Point and Southern railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Harris asked and obtained leave to introduce a bill entitled "An act to regulate tare on raw cotton sold in bales," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Dawson asked and obtained leave to introduce a bill entitled "An act in relation to county canvassers' and their pay," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Willis asked and obtained leave to introduce a bill entitled "An act regulating the hours of labor in certain cases," which was read and referred to a select committee consisting of Messrs. Willis, Joy, Savage, Sterling and Peters.

In pursuance of previous notice, Mr. Seely asked and obtained leave to bring in a bill entitled "An act in relation to the resi-

dences of the justices of the Supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cummings asked and obtained leave to introduce a bill entitled "An act in relation to the office of the register of deeds in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Moseley Hutchinson asked and obtained leave to introduce a bill entitled "An act to amend the Union Springs plank road charter in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to bring in a bill entitled "An act relative to the construction of railroads in cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Burnet asked and obtained leave to bring in a bill entitled "An act for the better protection of the holders of negotiable paper," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent,

Mr. Aitken asked and obtained leave to introduce a bill entitled "An act ceding jurisdiction to the United States over certain lands for light houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the mariners' savings institution in the city of New-York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. Randall asked and obtained leave to introduce a bill entitled "An act to incorporate a savings bank in Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent,

Mr. Mallory, from the committee on the judiciary to which was referred the bill entitled "An act to provide for inquiring into the causes of fires and for the prevention of incendiarism," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows, to wit:

"An act to authorise the railroad corporations of this State to subscribe to the capital stock of the Allegany valley railroad, Pennsylvania," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A resolution from the Senate was received and read, requesting the transmission to the Senate of the papers, &c., now on file in regard to the claim of James McCabe, and that it be referred to the committee on claims.

On motion of Mr. Conkling,

Resolved, That the Comptroller be requested to communicate, at his earliest convenience, to this House the names of the insurance companies which have failed to make their returns within one month from the first of January; ultimo, agreeably to the provisions of section 13 of title 17 of the 4th edition of the Revised Statutes.

On motion of Mr. Case,

Resolved, That the papers in the case of B. Frazee be taken from the files and referred to the committee on grievances.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That there be printed for the use of the minority of the select committee on the subject of a prohibitory liquor law, 1000 copies of their report.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Burgess,

Resolved, That the papers including the bill on the files of the House relating to the incorporation of the village of Ilion, be taken from the files and referred to the committee on the incorporation of cities and villages.

Mr. R. J. Baldwin called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Whereas, A special election is appointed by law to be held throughout this State on the 15th day of February next, at which

a discharge by the members of the Legislature, of their duties as citizens, will be impossible if they remain at the Capitol; therefore,

Resolved, (if the Senate concur,) That when this House adjourns on Friday, Feb. 10th, it will adjourn to meet on Thursday, Feb. 16th, at 12 o'clock of that day.

Mr. Benedict moved to amend said resolution by adding "Provided that the time occupied by such recess shall not be considered as a part of the regular session of 100 days; and the session shall be extended so as to make up for the time lost by the recess."

Mr. Fiero moved to extend the time for adjournment for to-day, until 2 o'clock, p. m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fiero, and it was determined in the affirmative.

Mr. Robertson moved to amend the amendment of Mr. Benedict by adding "And provided further, that the bill for the suppression of intemperance be passed upon previous to the proposed adjournment."

On motion of Mr. Benedict,

Said resolution and amendments were laid on the table.

On motion of Mr. Gleason,

Resolved, That the committee of this House on railroads, be authorised to send for and require the production of a list of the stockholders of the Sacketts Harbor and Saratoga railroad company, the amount of stock taken by each, and the time when taken; the amount paid by each individual owning stock; the amount paid out by the company, and for what purpose; the salaries of the officers, and the names of the present directors of the company, and such other papers relating to said road as they may think proper.

On motion of Mr. Benedict.

At five minutes to 2 o'clock p. m., the House took a recess until 7 o'clock p. m.

SEVEN O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to incorporate the Niagara Falls water works company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorise savings banks or institutions for savings to deposite surplus funds in trust companies," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lots sold to Peter Smith, made any mistake in measuring or computing the same, and if so, to correct the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

"An act to provide for certain expenses of Government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act for the appraisal and payment of damages of Bethel Judd, occasioned by overflow of waters from the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to enlarge the jurisdiction of the court of sessions of Kings county."

Mr. Peters moved that the bill, entitled "An act for the suppression of intemperance," be made the special order for to-morrow afternoon, at half-past three o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative, two-thirds voting in favor thereof.

On motion of Mr. Peters,

The House determined to dispense with evening sessions, and hold a session to-morrow afternoon, at half-past three o'clock.

Mr. Speaker announced the special order, it being the consideration of the bill, entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole on said bill:

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Brust,

At twenty minutes to ten o'clock, p. m., the House adjourned.

THURSDAY, FEBRUARY 2, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The minutes of yesterday were read and approved.

Mr. Speaker presented the annual statement of the condition of the institution for the savings of merchants' clerks and others, which was read and referred to the committee on banks.

Mr. Speaker announced the special order, it being general orders.

Mr. Willis rose to a question of privilege, claiming that the committee on privileges and elections should make a report in the case of the contested seat from Jefferson county, as instructed by a resolution of the House.

Mr. D. P. Wood called up the resolution heretofore offered by him on that subject, in the words following, to wit:

Resolved, That the committee on privileges and elections be authorised to send for persons and papers in the matter of the contested seat in the second Assembly district, in Jefferson county, and that said committee make their final report on said case, within one week from the adoption of this resolution.

Ordered, That said resolution be laid on the table.

On motion of Mr. Mitchell,

Resolved, That the committee on privileges and elections be discharged from the further consideration of the contested seat of Alden Adams, and that the same be referred to the committee of the whole.

Mr. Sessions moved to reconsider the vote on the adoption of said resolution.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the negative.

The House then resolved itself into committee of the whole on the question of the contested election from the second Assembly district, in Jefferson county.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Payne, from said committee, reported progress on said subject, and asked leave to sit again.

On motion of Mr. R. J. Baldwin,

Resolved, That the committee of the whole be discharged from the further consideration of the contested seat from Jefferson co., and that the subject be recommitted to the standing committee on privileges and elections, with instructions to report to the House a statement of the facts proved by the evidence already taken, and that the committee report to-morrow morning.

This being the day for general orders prescribed by the rules, The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess, in the Penitentiary of the county of Albany, and to prescribe the punishment for certain offences."

"An act to provide for the improvement of the Erie, Oswego, and Cayuga and Seneca canals."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. F. Miller, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. S. F. Miller, from said committee, reported that the committee had gone through said last mentioned bill, and agreed to the same with amendments.

On motion of Mr. Lozier,

The time for the morning session for to-day was extended five minutes.

Pending debate upon the question of agreeing to the report of the committee of the whole on said last mentioned bill,

Mr. Speaker, the hour of ten minutes to two o'clock having arrived, announced that the House would take a recess to half-past three o'clock p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Speaker presented a communication from the Comptroller, in answer to a resolution of the House, passed Feb. 1st, 1854, calling for information in regard to the reports of insurance companies, which was read and referred to the committee on insurance companies.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the punishment of assaults with dangerous weapons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Lee asked and obtained leave to introduce a bill entitled "An act to amend the act incorporating the village of Sing Sing," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Lee,

Said bill was referred to a select committee consisting of the Westchester and Putnam delegations.

By unanimous consent, and in pursuance of previous notice, Mr. R. Dunlap moved to suspend the 4th rule, in order that the bill to amend the act to incorporate the village of Tonawanda might be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. Dunlap, and it was determined in the affirmative.

On motion of Mr. R. Dunlap,

Resolved, That the bill to amend the act to incorporate the village of Tonawanda be referred to a select committee consisting of the members from Erie and Niagara counties, with power to report complete.

By unanimous consent,

Mr. Palmer offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (if the Senate concur,) That the Secretary of State be directed to authorise one or more printers in each county in this State, to print ballots to the amount of four times the number of electors in the county, to be used at the special election to be held on the 15th February inst., at the rate of one dollar and fifty cents for each thousand ballots so printed ; that one-half the number of said ballots shall contain the words " For the proposed amendment in relation to canals ;" and the other half, " Against the proposed amendment in relation to canals ;" and that said printer or printers shall distribute said ballots to the several town clerks of the county, previous to the evening of the 14th day of February inst.

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the bills entitled as follows :

" An act to authorise the appraisal and payment of canal damages to Frederick Goskoff."

" An act to amend an act entitled ' An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike road company a bridge across the Neversink river, and for other purposes,' passed May 26, 1853."

Ordered, That the Clerk return said bills to the Senate.

A resolution from the Senate was received and read, in the words following, to wit :

Resolved, That the papers on file in the Senate against the division of Allegany county, be taken from the files thereof and referred to the committee on the erection and division of towns and counties in the Assembly.

A message from the Senate was received and read, informing that they had concurred in the amendment of the Assembly to bill entitled as follows :

"An act to authorise the Watervliet plank road company to abandon that portion of their road lying within the bounds of the corporation of West Troy, and to amend their charter."

Ordered, That the Clerk return said bill to the Senate.

On motion of Mr. Leigh,

The bill entitled "An act for the suppression of intemperance," was made the special order for to-morrow afternoon at half-past three o'clock.

Mr. Speaker announced the special order, it being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole, on said bill.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Case,

At six o'clock p. m., the House adjourned.

FRIDAY, FEBRUARY 3, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The minutes of yesterday were read and approved.

On motion of Mr. McMurray,

Leave of absence was granted to Mr. Graham for one week.

On motion of Mr. Bergen,

Leave of absence was granted to Mr. Crocheron until Tuesday next.

Mr. Lozier presented 6 petitions of citizens of Allegany, Steuben and Livingston counties, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Gibbs presented 8 remonstrances against a division of the county of Livingston, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Randall presented 7 petitions of inhabitants of Chemung and Steuben counties, for a new county near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. D. P. Wood presented 3 petitions of inhabitants of Onondaga county, for the removal of certain coarse salt works in Syracuse, which were read and referred to the committee on the manufacture of salt.

Mr. Lee presented the memorial of citizens of Sing Sing, for the enactment of a law establishing free schools in the village of

Sing Sing, which was read and referred to the committee on colleges, academies and common schools.

Mr. Cook presented the petition of 135 voters of Le Roy, for an amendment of the laws relating to that village, to allow them to raise \$1,000, where they now raise but \$400, which was read and referred to the committee on the incorporation of cities and villages.

Mr. L. Miller presented the petition of 100 inhabitants of Colton, St. Lawrence county, for the suppression of intemperance, which was read and committed to the committee of the whole.

Mr. Gleason presented the petition of inhabitants of Gloversville, in the county of Fulton, to make the village of Gloversville a separate road district, which was read and referred to the committee on the incorporation of cities and villages.

Mr. May presented the remonstrance of citizens of Wellsville, Allegany co., against legalising an assessment made by the Genesee plank road company, which was read and referred to the committee on roads and bridges.

Mr. Hinckley presented the petition of 75 citizens of Herkimer and Hamilton counties, to tax certain towns for the completion of a road from Morehouse to Salisbury, which was read and referred to the committee on roads and bridges.

Mr. Montfort presented the petition of sundry inhabitants of Dutchess co., for the removal of a turnpike gate on the Dutchess turnpike, in the town of Poughkeepsie, which was read and referred to the committee on roads and bridges.

Mr. Bergen presented the petition of the county treasurer elect of Kings co., for increased compensation, together with the action of the board of supervisors favorably thereto, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Ferguson presented the petition of inhabitants of Franklin county, for a law declaring Salmon river, in said county, a public highway, which was read and referred to the committee on commerce and navigation.

Mr. Hinckley presented the petition of trustees of the village of Herkimer, for an amendment of their village charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Gorham presented the petition of Isabel McDonald, an alien, praying for relief, which was read and referred to the committee on the petitions of aliens.

Mr. Rose presented the petition of inhabitants of the town of Covington, in the county of Wyoming, for a law to abolish grand juries and to elect petit jurors by the people, which was read and referred to the committee on the judiciary.

Mr. Cushman presented the petition of citizens of Newburgh, for an act providing for the appointment of police officers for

said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Munroe presented a petition for a bridge across the canal at Baldwinsville, which was read and referred to the committee on canals.

Mr. Ware presented a resolution of the board of councilmen of the city of New-York, against allowing costs or charges to counsel in the matter of opening streets, &c., which was read and referred to the committee on the incorporation of cities and villages.

Mr. Fiero presented the remonstrance of inhabitants of the towns of Ashland, Windham and Prattsville, against any amendments to the charter of the Schoharie Kill bridge company, which was read and referred to the committee on roads and bridges.

Mr. Moseley Hutchinson presented the petition of the mayor and common council of the city of Auburn, to amend "An act in relation to borrowing money to construct a railroad through that city," which was read and referred to the committee on the incorporation of cities and villages.

Mr. May presented the petition of inhabitants of Allegany county, for a feeder to the Genesee valley canal on the Genesee river, which was read and referred to the committee on canals.

Mr. Burnett presented the petition of Anna C. Eggers of the city of New-York, for relief, which was read and referred to the committee on the judiciary.

Mr. Adams presented the petition of inhabitants of the town of Wilna, allowing the Sacketts Harbor and Saratoga railroad to change its route, which was read and referred to the committee on railroads.

Mr. May presented the remonstrance of 118 citizens of Almond, Allegany county, against the division of said county, which was read and referred to the committee on the erection and division of towns and counties.

On motion of Mr. May,

Resolved, That the bill entitled "An act for the relief of the Genesee river plank road company," be taken from the committee of the whole and be recommitted to the committee on roads and bridges.

Mr. Palmer, from the committee on public printing, to which was referred the resolution relative to the printing of the majority and minority reports of the select committee on the subject of the Jones' Wood park, in the city of New-York, reported in writing, which report was agreed to.

(See Ass. Doc. No. 42.)

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisal and payment of damages of Bethel Judd, occasioned by overflow of waters from the Erie canal," reported, that the committee had ex-

amined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on the judiciary, to which was referred the petition of Daniel Jenks to change the names of James Loveland Putnam and Caroline Elizabeth Putnam, to James Loveland Jenks and Caroline Elizabeth Jenks, reported, and asked and obtained leave to bring in a bill entitled "An act changing the names of James Loveland Putnam and Caroline Elizabeth Putnam to James Loveland Jenks and Caroline Elizabeth Jenks," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Benedict, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise a part of the records in the office of the Secretary of State and in the office of the clerk of the county of Oneida, to be transcribed and deposited in the clerk's office of the county of Lewis," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Boyd, from the minority of the committee on the petition of aliens, to which was referred the petition of John O'Brien and remonstrance of Mary Brown, reported, recommending the denial of the prayer of John O'Brien.

Ordered, That said report be committed to the committee of the whole when on the bill on that subject.

Mr. Mitchell, from the committee on claims, to which was referred the petition of John Battell and Henry Stewart, praying for damages for destruction of canal boat by break in the canal," reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of John Battell and Henry Stewart," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of the superintendent of weights and measures, praying for "An act to amend the act in relation to weights and measures," reported, and asked and obtained leave to bring in a bill entitled "An act to amend an act in relation to weights and measures, passed April 1st, 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act to equalize taxation, passed May 13th, 1846," re-

ported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of assessors of the city of Albany, and the supervisors of the county of Oneida, praying for relief for enrolling militia, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of assessors for enrolling the militia in years 1852 and 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of boards of supervisors of Oneida and Livingston counties, and citizens of Monroe county, praying for an amendment to the act entitled "An act for the preservation of the public health," reported, and asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,' passed April 10, 1850" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of the towns of Eden and Evans, for an amendment of the poor laws, reported against the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Wood, from the committee on colleges, academies, and common schools, to which was referred the bill entitled "An act in relation to the natural history of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sharp, from the committee on public lands, to which was referred the Senate bill entitled "An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lots sold Peter Smith, made any mistake in measuring or computing the same, and if so to correct the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to change the name of William S. Winslow to the name of William S. Waterman," reported

that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the county Cayuga, praying for an act to authorise the clerk of Cayuga county to record certain filed deeds in his office, reported, and asked leave to bring in a bill entitled "An act to authorise the clerk of Cayuga county to record certain filed deeds in his office," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of James Sheaffer Smith, praying for a change of his name, and that his name be changed from James Sheaffer Smith to James Smith Sheaffer, reported, and asked leave to bring in a bill entitled "An act for the relief of James Sheaffer Smith," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the records of deeds in certain cases," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to confer new powers and duties on the court of oyer and terminer of this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the law of libel," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act in relation to the partition of lands,' passed April 16, 1881," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate, in the county of Sullivan," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Burnett asked and obtained leave to bring in a bill entitled "An act to amend section 265 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cushman asked and obtained leave to bring in a bill entitled "An act to provide for the appointment of police officers for the town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Bennett, from the committee on public lands, to which was referred the bill entitled "An act to authorise the Commissioners of the Land Office to sell certain lands, and to convey certain lands under water," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Sessions, from the committee on ways and means, to which was referred the bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Randall, from the committee on railroads, to which was referred the bill entitled "An act to authorise the railroad corporations of this State to subscribe to the capital stock of the Alleghany Valley railroad, Pennsylvania, and to guarantee or endorse the bonds of connecting roads," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the bill entitled "An act to provide for the establishment of schools on the Cattaraugus and Alleghany reservations, for the instruction of Indian children," reported that the committee had

examined said bill, and saw no reason why the same should be passed into a law.

Ordered, That said bill be committed to the committee of whole.

Mr. Palmer, from the committee on public printing, to whom was referred the resolution to print 2,000 extra copies of annual report of the trustees of the State asylum for idiots for use of the Legislature, and 500 for the use of the trustees and perintendents, reported in favor of the following resolution :

Resolved, That 2,000 copies of the annual report of the trustees of the State asylum for idiots be printed for the use of the Legislature, and 500 copies for the trustees and superintendents.

Mr. Speaker put the question whether the House would assent to the said resolution, and it was determined in the affirmative.

Mr. Baker, from the committee on privileges and elections, which was referred the petition of Jesse E. Willis, claiming a seat from the 2d Assembly district of Jefferson county, held by Alden Adams, reported in writing.

(See Ass. Doc. No. .)

Mr. Sessions offered, for the consideration of the House, resolutions in the words following, to wit :

Resolved, That Alden Adams is not entitled to a seat as a member of this House from the 2nd Assembly district of Jefferson county.

Resolved, That Jesse E. Willis is entitled to a seat as a member of this House from the 2nd Assembly district of Jefferson county.

Mr. Adams offered the following amendment.

Strike out all after "Resolved," and insert as follows :

Resolved, That Mr. Alden Adams be allowed to take further testimony before the county judge of Jefferson county, in the case of the contested election, in the 2nd Assembly district in Jefferson county, and return said testimony to this House, or the committee thereof, within seven days.

Mr. Speaker put the question whether the House would assent to the said motion of Mr. Adams to amend, and it was determined in the negative, as follows :

{ AYES 41 }
{ NOES 61 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Baker	Collins	Gorham	Mills	Scott
R. J. Baldwin	Cushman	Gott	L. Miller	Searing
S. Baldwin	Dewey	Holdridge	Monfort	Sharp
Barrow	A. A. Dunlop	Mos. Hutchinson	Morris	Smalley
Barton	R. Dunlap	Lee	Nelson	Speaker
Baucus	Edwards	Littlefield	Odell	Ward
Bergen	Ferguson	Littlejohn	Preston	Ware
Burgess	Gleason	McGraw	Rowland	Whipple
Clark				

Those who voted in the negative are,

Angle	Cumming	Mat. Hutchinson	S. F. Miller	Suffern
Bailey	Fiero	Jenkins	Mitchell	Thompson
Backus	Freeman	Joy	Noble	Thorne
Beers	Germain	Kinney	Palmer	Underwood
Bennett	Gibbs	Kirkland	Payne	Weed
Boardman	Harpur	Legg	Peters	Wilder
Boyd	Harris	Leigh	Randall	Willis
Brust	Hinkley	Lozier	Robertson	Williams
Burnett	Hollenbeck	Mallory	Rose	Winne
Case	Howell	Martin	Sheeley	D. P. Wood
Clinton	Hoyle	Mather	Sill	J. S. Wood
Cook	Hull	G. Miller	Sterling	W. H. Wood
Conkling				

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On motion of Mr. D. P. Wood,

Resolved, That the time of the adjournment of this session be extended until the contested election from the 2nd Assembly district of Jefferson county be disposed of.

Mr. Speaker put the question whether the House would agree to the first resolution of Mr. Sessions, that Mr. Adams is not entitled to the seat, and it was determined in the affirmative, as follows :

{ AYES 81 }
{ NOES 08 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Conkling	Mat. Hutchinson	L. Miller	Smalley
Bailey	Cumming	Mos. Hutchinson	S. F. Miller	Speaker
Backus	Fiero	Jenkins	Mitchell	Suffern
R. J. Baldwin	Freeman	Joy	Nelson	Thompson
S. Baldwin	Germain	Kinney	Noble	Thorn
Barrow	Gibbs	Kirkland	Palmer	Underwood
Beers	Gleason	Legg	Payne	Ward
Bennett	Gorham	Leigh	Peters	Ware
Bergen	Harpur	Littlefield	Randall	Weed
Boardman	Harris	Littlejohn	Robertson	Wilder
Boyd	Hinkley	Lozier	Rose	Willis
Brust	Holdridge	Mallory	Rowland	Williams
Burnett	Hollenbeck	Martin	Scott	Winne
Case	Howell	Mather	Sharp	D. P. Wood
Cook	Hoyle	McGraw	Sheeley	J. S. Wood
Collins	Hull	G. Miller	Sill	W. H. Wood

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Those who voted in the negative are,

Baker	Clinton	R. Dunlap	Lee	Whipple
Burgess	Dewey	Edwards		

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Mr. Clark asked to be excused from voting, on the ground that his seat was contested.

Mr. Speaker put the question whether the House would agree to excuse Mr. Clark, and it was determined in the affirmative.

Mr. Collins also asked to be excused from voting, on the ground that he had heard the evidence of but one side.

Mr. Speaker put the question whether the House would agree to excuse Mr. Collins, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the second resolution of Mr. Sessions, declaring that Mr. Willis is entitled to the seat, and it was determined in the affirmative, as follows:

{ AYES 79 }
{ NOES 05 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative, are

Angle	Cook	Hoyle	G. Miller	Sterling
Bailey	Conkling	Mat. Hutchinson	L. Miller	Suffern
Backus	Cumming	Mos. Hutchinson	S. F. Miller	Thompson
R. J. Baldwin	A. A. Dunlop	Jenkins	Mitchell	Thorn
S. Baldwin	Edwards	Joy	Nelson	Underwood
Barrow	Fiero	Kinney	Noble	Ward
Baucus	Freeman	Kirkland	Palmer	Ware
Beers	Germain	Legg	Payne	Weed
Bennett	Gibbs	Leigh	Peters	Wilder
Bergen	Gleason	Littlefield	Randall	Willis
Boardman	Harpur	Littlejohn	Robertson	Williams
Boyd	Harris	Lozier	Rose	Winne
Brust	Hinkley	Mallory	Scott	D. P. Wood
Burnett	Holdridge	Martin	Sharp	J. S. Wood
Case	Hollenbeck	Mather	Sheeley	W. H. Wood
Clark	Howell	McGraw	Smalley	79

Those who voted in the negative are,

Baker	Burgess	Clinton	Dewey	Lee	5
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Whereupon Mr. Jesse E. Willis, as the member entitled to the seat from the 2nd Assembly district in Jefferson county, appeared at the Speaker's desk, was sworn and took his seat.

The hour for adjournment having arrived, Mr. Speaker, announced that the House would take a recess to half-past three o'clock p. m.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. R. Dunlap, from the select committee, consisting of the Erie and Niagara county delegations, to which was referred the bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, as far as the same relates to the village of Tonawanda, in the counties of Erie and Niagara,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Speaker announced the special order, it being the consideration of the bill for the suppression of intemperance.-

The House then resolved itself into a committee of the whole on said bill ;

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Leigh,

Resolved, That the bill for the suppression of intemperance, be made the special order on Monday, at half-past three o'clock, p. m.

On motion of Mr. Leigh,

Resolved, That when this House adjourn on Monday, and on each day thereafter, except Saturday, until the bill for the suppression of intemperance is finally disposed of by this House, it adjourn to meet at half-past three o'clock, p. m.

A resolution from the Senate was received and read, in the words following, to wit :

Resolved, That a respectful message be sent to the Assembly requesting that body to transmit to the Senate, all papers on file with the clerk of the Assembly, relating to the claim of Conrad Brown and Marcus Brown, and that they be referred to the committee on claims ; also, all the printed documents of the Senate and Assembly, in which the testimony in the claim of Conrad and Marcus Brown are contained, and that the same be used by the committee on claims in the place of the original papers that have been lost or cannot be found, the same as the original affidavits that have been on file ; and, also, if any papers on file in the Senate, relative to the claims of Marcus Brown, with those of the Assembly, be referred to the same committee.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the bill entitled as follows :

"An act to authorise the Ogdensburgh Marine Railway company to borrow money and issue bonds."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing that they had passed, without amendment, the following entitled bills :

"An act in relation to the Black river and Utica railroad company, empowering it to apply for appraisal of land on complying with certain conditions."

"An act in relation to the claim of the Ogdensburgh, Clayton and Rome railroad company, to empower them to apply to the court for commissioners of appraisal, &c., on line of road from Rome to Ogdensburgh."

On motion of Mr. Peters,

At six o'clock, p. m., the House adjourned.

SATURDAY, FEBRUARY 4, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The minutes of yesterday were read and approved.

On motion of Mr. S. F. Miller,

Leave of absence was granted to Mr. Gleason for one week.

On motion of Mr. D. P. Wood,

Leave of absence was granted to himself for one day.

Mr. Speaker presented a communication from the secretary of the State Agricultural society for the use of the Assembly chamber on Wednesday Feb 8, at 12 o'clock, and on the afternoon and evening of that day, and on Thursday evening, the 9th, for the annual meeting of the society.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the use of the Assembly chamber be granted to the New-York State Agricultural society on Wednesday next, at 12 o'clock, at noon ; also on the afternoon and evening of that day, and on Thursday evening, Feb. 9, for the annual meeting of the society.

Ordered, That said resolution be laid on the table

Mr. Sessions presented the petition of commissioners of highways of the town of Harmon, praying for a loan of money to said town, which was read and referred to the committee on the judiciary.

Mr. Sessions presented a petition for an alteration of the laws in relation to jurors on the subject of highways, which was read and referred to the committee on the judiciary.

Mr. Randall presented the petition of William Mapes praying for damages sustained by the breaking of lock gate to lock No. 1, on the Chemung canal, which was read and referred to the committee on grievances.

Mr. Randall presented the petition of 62 voters of the town of Veteran, praying for the passage of a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. S. F. Miller presented the petition of 120 voters of the village of Walton, asking the repeal of an act entitled "An act in relation to the duties and powers of the trustees of the village of Walton," passed June 21, 1853, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ferguson presented the petition of inhabitants of the town of Bomby, in the county of Franklin, praying for aid to erect a new bridge across the St. Regis river, on the Indian reservations in said town, which was read and referred to the committee on roads and bridges.

JOHN A. ...

Mr. Fiero presented four several remonstrances against any amendments to the Schoharie Kill Bridge company, which were read and referred to the committee on roads and bridges.

Mr. Backus presented a petition from the Ravenswood, Hollets Cove, and Williamsburgh turnpike bridge company, to issue bonds for the purpose of enabling them to rebuild their bridge across the Bushwick and Newtown creeks, which was read and referred to the committee on roads and bridges.

Mr. Collins presented 2 petitions of E. A. Brown and others, citizens of Lewis co., praying for the passage of an act authorising the Sacketts Harbor and Saratoga railroad company to locate their line through the counties of Warren and Essex, which were read and referred to the committee on railroads.

Mr. Lozier presented six several petitions of citizens of Allegany, Steuben and Livingston counties, for a new county from parts of said county; also, a remonstrance against dividing the 6th judicial district of the county of New-York, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Whitman presented the petition of inhabitants of Lenox, Madison co., to be authorised to have five justices in said town, which was read and referred to the committee on the judiciary.

Mr. Angle presented the petition of 75 women of Saratoga co., for a prohibitory liquor law, which was read and committed to the committee of the whole.

Mr. Conkling presented the petition of Maria Vincenza Rodriguez, to have her name changed, which was read and referred to the committee on the judiciary.

Mr. Williams presented three several petitions of 480 citizens of Steuben county for a new county, with the county buildings to be located at Addison, and remonstrating against any act to locate the public buildings at Corning, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Stevens presented 6 several petitions of citizens of Allegany and Steuben counties, praying for a new county to be erected out of parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Noble presented the petition of 56 inhabitants of the village of Glens Falls, Warren co., for the passage of a law authorising the Sacketts Harbor and Saratoga railroad company to construct their road through said village, which was read and referred to the committee on railroads.

Mr. Randall presented 6 several petitions of citizens of Catharine, Chemung co., praying for a new county from territory near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. D. P. Wood presented the petition for an alteration of the law in relation to the pay of justices of sessions in Onondaga

county, which was read and referred to the committee on the judiciary.

On motion of Mr. Wood,

The bill entitled "An act to improve the Erie, Oswego, Cayuga and Seneca canal," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Mat. Hutchinson	Noble	Stephens
Bailey	Cushman	Mos. Hutchinson	Odell	Suffern
Baker	Dewey	Jenkins	Palmer	Thompson
Backus	R. Dunlap	Kinney	Payne	Thorn
S. Baldwin	Edwards	Lee	Peters	Townsend
Barrow	Ferguson	Legg	Preston	Underwood
Barton	Fiero	Littlefield	Randall	Ward
Beers	Freeman	Littlejohn	Robertson	Wart
Benedict	Germain	Lozier	Rose	Weed
Boyd	Gibbs	Mather	Searing	Whitman
Brust	Gorham	McGraw	Sessions	Wilson
Burgess	Gott	G. Miller	Seeley	D. Willis
Burnett	Harpur	L. Miller	Sharp	J. E. Willis
Case	Harris	S. F. Miller	Sheeley	Williams
Clark	Holdridge	Monfort	Sill	Winne
Cook	Hollenbeck	Morris	Smalley	J. S. Wood
Conkling	Hoyle	Nelson	Speaker	W. H. Wood 85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Burnett, from the committee on the judiciary to which was referred the Senate bill entitled "An act to divide the 6th judicial district in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 1,000 extra copies of the report of the trustees of the Astor Library for the use of this House, and 1,000 for the use of the trustees, reported in favor of the passage of the same, the expense being about \$33, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 1,000 extra copies of the report of the minority of the select committee on the subject of a prohibitory liquor law, for the use of the minority of the committee, reported in favor of the passage of the same, the expense being about \$10, which report was agreed to.

Mr. Speaker presented a communication from the Auditor of the Canal Department, transmitting the annual report of his predecessors, exhibiting the expenditures of the canals for the fiscal year ending the 30th day of September, 1853.

Mr. Littlejohn offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 300 copies of the Auditor's report of expenditures of the canals be printed for the use of the Canal Department, and three extra copies for each member and officer of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the annual report of the Bank of Whitehall, which was read and referred to the committee on banks.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act for an additional justice of the peace in the town of Ellisburgh, in the county of Jefferson."

Mr. Littlefield moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Littlefield, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Conkling	Hollenbeck	Monfort	Sm
Baker	Cumming	Hoyle	Morris	Smalley
Backus	Cushman	Mat. Hutchinson	Nelson	Speaker
S. Baldwin	Dewey	Mos. Hutchinson	Odell	Suffern
Barrow	R. Dunlap	Jenkins	Palmer	Thorn
Beers	Edwards	Kinney	Peters	Underwood
Benedict	Ferguson	Kirkland	Preston	Ward
Boyd	Fiero	Lee	Randall	Wart
Burgess	Freeman	Legg	Robertson	Weed
Burnett	Germain	Littlefield	Rose	Whitman
Cass	Gibbs	Lozier	Rowland	Wilson
Chesbro	Gorham	Mather	Searing	J. E. Willis
Clark	Gott	G. Miller	Sessions	Winne
Clinton	Harpur	L. Miller	Seeley	D. P. Wood
Cook	Harris	S. F. Miller	Sharp	W. H. Wood
Collins	Holdridge			

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendment therewith delivered, the bill entitled as follows:

"An act authorising boards of supervisors to have and use a seal, and making certified copies of their proceedings evidence in courts of justice."

Mr. Benedict moved that the House concur in said amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Clinton	Gott	G. Miller	Sheeley
Baker	Cook	Harpur	L. Miller	Sill
Backus	Collins	Harris	S. F. Miller	Smalley
S. Baldwin	Conkling	Holdridge	Monfort	Speaker
Barrow	Cumming	Hollenbeck	Morris	Thompson
Barton	Cushman	Hoyle	Odell	Thorn
Beers	Dewey	Mat. Hutchinson	Palmer	Underwood
Benedict	R. Dunlap	Mos. Hutchinson	Peters	Ward
Boyd	Edwards	Jenkins	Robertson	Weed
Brust	Ferguson	Kinney	Rose	Whitman
Burgess	Fiero	Kirkland	Rowland	Wilson
Burnett	Freeman	Lee	Searing	J. E. Wills
Case	Germain	Lozier	Sessions	Winne
Clark	Gibbs	Mather	Sharp	D. P. Wood 70

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendment, and amended the same accordingly.

A message from the Senate was received and read, informing that they had amended and passed as a new bill, the bill entitled "An act for the relief of the Lockport and Cambria plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Benedict gave notice that he would at an early day ask leave to introduce a bill amending the act for the relief of Harry Hall.

Mr. Graham gave notice that he would at an early day ask leave to introduce a bill to regulate the rates of wharfage on lighters in the cities of New York and Brooklyn.

Mr. Benedict gave notice that he would at an early day ask leave to introduce a bill to amend the railroad law in relation to the Utica and Binghamton railroad company.

Mr. Freeman gave notice that he would at an early day ask leave to introduce a bill concerning moneys received for excise duty in the county of Orleans.

Mr. Moseley Hutchinson gave notice that he would at an early day ask leave to introduce a bill to amend an act relative to borrowing money by the city of Auburn to aid in the construction of a railroad.

Mr. S. F. Miller gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act in relation to the powers and duties of the trustees of the village of Walton," passed June 21, 1853.

Mr. Legg gave notice that he would at an early day ask leave to introduce a bill to incorporate a company to improve the navigation of the Susquehannah river.

Mr. Cumming gave notice that he would at an early day ask leave to introduce a bill in relation to the criminal courts in the city and county of New-York.

Mr. Morris gave notice that he would at an early day ask leave to introduce a bill in relation to fees of police justices and justices of the peace of the city of Brooklyn.

Mr. L. Miller gave notice that he would at an early day ask leave to introduce a bill to confirm the official acts of Warren H. Wright, a justice of the peace of the town of Potsdam, in St. Lawrence county.

Mr. Williams gave notice that he would at an early day ask leave to introduce a bill to allow the Hammondsport and Bath plank road company to abandon a part of their road.

Mr. Cumming gave notice that he would at an early day ask leave to introduce a bill to incorporate the half-dime Chelsea savings bank, in the city of New-York.

Mr. Conkling gave notice that he would at an early day ask leave to introduce a bill for the relief of Maria Vincenta Rodriguez.

Mr. Case gave notice that he would at an early day ask leave to introduce a bill to amend the 47th section of "An act to authorise the formation of railroad corporations, and to regulate the same," passed April, 2, 1850.

Mr. Odell gave notice that he would at an early day ask leave to introduce a bill for the relief of the New-York and New-Rochelle railroad company.

By unanimous consent,

Mr. Sessions, from the committee on ways and means, to which was referred the bill entitled "An act to provide for certain expenses of government," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Randall gave notice that he would at an early day ask leave to introduce a bill to extend the time of the Hoffman Geom. association, for paying in their capital stock.

Mr. Randall gave notice that he would at an early day ask leave to introduce a bill to provide for the appraisal and payment of canal damages to William Mapes.

Mr. Randall gave notice that he would at an early day ask leave to introduce a bill to legalise the alteration of the plan of the Wellsburgh bridge company.

Mr. R. Dunlap gave notice that he would ask the suspension of a standing rule, on Monday, with a view to instruct the committee on roads and bridges, to report the bill "For the relief of the Lockport and Cambria plank road company," to the House complete.

In pursuance of previous notice, Mr. Germain asked and obtained leave to introduce a bill entitled "An act to incorporate the Buffalo cemetery association," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act respecting the time of payment of sight drafts, bills of exchange and checks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to prohibit the plea of usury in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill entitled "An act to amend title two chapter five, part three of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill entitled "An act to provide for the appraisal and payment of canal damages to Simeon Tingle," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill entitled "An act to provide for the appraisal and payment of canal damages to Harvey E. Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Baker asked and obtained leave to introduce a bill entitled "An act to provide for the appraisal and payment of canal damages to A. Roseboom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Lozier asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Littlejohn asked and obtained leave to introduce a bill entitled "An act for the preservation of the Oswego Falls bridge at Fulton, Oswego co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Odell asked and obtained leave to introduce a bill entitled "An act to incorporate the Yonkers savings bank in the village of Yonkers, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Lee asked and obtained leave to introduce a bill entitled "An act to establish a ferry across the Hudson river, from Sing Sing to Rockland lake and Haverstraw, in the counties of Rockland and Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New-York State and National Law School,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to compel the determination of claims to real property in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Barrow asked and obtained leave to introduce a bill entitled "An act to reduce the expense, and for the better regulation of opening public streets in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Ward offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That a select committee of nine be appointed, to consider all bills on the general orders and unfinished business, except such as are general in their character, and such as propose to appropriate money or increase taxation, and to report to the House such of said bills as are, in their judgment, proper to be

reported complete by select committees; but no bills shall be thus reported, except with the assent of a majority of the members of said committee of nine.

Ordered, That said resolution be laid on the table.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on banks be, and they are hereby instructed to report a bill for a general law to incorporate savings banks or institutions.

Ordered, That said resolution be laid on the table.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Canal Commissioner furnish copies of all papers on file in their office relative to the commutation of bridges on the eastern division of the Erie canal, since January 1, 1853.

Ordered, That said resolution be laid on the table.

On motion of Mr. Peters,

Resolved, That the Auditor of the Canal Department be requested to furnish at as early a day as may be convenient, what amount of money has been paid for commutation of bridges on the eastern division of the Erie canal since the 1st day of January, 1853; to whom the same was paid, and upon whose order; also what drafts have been protested, to whom payable, and by whom drawn, for said commutation, and to make such suggestion as he may think useful in farther legislation on this subject.

On motion of Mr. Peters,

Resolved, That the Auditor of the Canal Department be requested to report to this House, at an early day, what amount of money has been paid annually, during the last ten years, for the superintendence, and also the repairing of the first section of the eastern division of the Erie canal, and what commissioners had the superintendence and charge of the said division during each of those years; also such suggestions, if any, as may be useful for further consideration by the House.

Mr. Harris offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the use of the Assembly Chamber be granted to the 25th regiment of the militia of this State, for the delivery of an oration before said regiment, on the birth day of Washington, 22d February inst.

Ordered, That said resolution be laid on the table.

Mr. Savage offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the receiver of taxes of the city of New-York report to this House, immediately, the amount of fees or percentage charged on taxes for which levies are or have been made upon personal property, and under what law he, or the officer or officers making the levy, charges such fees, and the name or names of the officer or officers employed by him to make levies on per-

sonal property for taxes; also whether he is in receipt of a larger salary than provided for in the act of the Legislature creating the office of receiver of taxes in the city of New-York, and how much larger salary; and also whether he receives any portion of the fees or percentage for which levies are made, or any pecuniary consideration arising therefrom, or in any other way.

Ordered, That said resolution be laid on the table.

On motion of Mr. D. P. Wood,

Resolved, That the Commissioners of the Land Office report to this House, at the earliest day practicable, what amount of lands belonging to the Onondaga salt springs reservation has been sold since the adoption of the present Constitution of the State, and that they set forth in such report where such lands were sold, the number of acres embraced in each sale, the appraised valuation thereof previous to such sale, the sum per acre, as well as the aggregate sum for which such lands were sold, and what portion of the avails thereof has been expended in pursuance of section 7, of article 7, of the Constitution of the State, in the purchase of other lands for salt purposes, contiguous to said spring; the quantity of land thus purchased; also the amount of said avails expended in preparing for sale and selling said lands, and what amount of said avails remains in the treasury after deducting therefrom such expenses, together with the sum thus reinvested in other salt lands.

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Secretary of State be requested to report to this House, at as early a day as practicable, the number of the 1st, 2d, 3d and 4th volumes of the Documentary History of this State printed and distributed in the years 1849, 1850, 1851, 1852 and 1853, in pursuance of the resolutions of the Legislature in each year, to whom delivered, and the amount paid in each year for the same, and to whom paid; and also the number now on hand for distribution.

Ordered, That said resolution be laid on the table.

On motion of Mr. Conkling,

Resolved, That Assembly bill No. 63, entitled "An act for the protection of gas light companies," be referred back to the committee on the judiciary, with instructions to report the same with an additional section providing some just means of deciding between such companies and the individuals who shall be supplied by them with illuminating gas, as to the quantity of such gas actually furnished by such companies.

Mr. S. F. Miller offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on privileges and elections be instructed to inquire into the expediency of so amending the law as to allow the votes to be canvassed on the second day after an

election, and to report, by bill or otherwise, at an early day this House.

Ordered, That said resolution be laid on the table.

Mr. Seeley offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the arrangement of admitting spectators in galleries of this House be so changed as to permit ladies to occupy that portion on the left of the Speaker's chair.

Ordered, That said resolution be laid on the table.

Mr. Palmer called up, for the consideration of the House, resolution heretofore offered by him, in the words following to wit:

Resolved, (if the Senate concur,) That the Secretary of State be directed to authorize one or more printers in each county in this State to print ballots to the amount of four times the number of electors in the county, to be used at the special election to be held on the 15th of February, instant, at the rate of not to exceed one dollar and fifty cents per one thousand for ballots so printed; that one-half the number of said ballots shall contain the words, "the proposed amendment in relation to canals;" and the other half, "Against the proposed amendment in relation to canals;" and that said printer or printers shall distribute said ballots to the several town clerks of the county previous to the evening of the 13th of February, inst.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That the committee on banks be requested to compile and consolidate the several acts in relation to banking, now in force, including such amendments thereto as may be passed in this session, in one act, and the same published in the Session Laws of 1854.

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, informing that they had passed the Assembly bill entitled as follows:

"An act to incorporate the Howard water works company."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. R. J. Baldwin called up for the consideration of the House the resolution heretofore offered by him, in the words following to wit:

Resolved, (if the Senate concur,) That when this House adjourns on Friday, Feb. 10th, it will adjourn to meet on Thursday, Feb. 16th, at 12 o'clock of that day.

Mr. Robertson moved to amend by inserting at the end of the resolution the words, "Provided that the bill to suppress intemperance shall be first disposed of."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robertson to amend, and it was determined in the negative.

Mr. Moseley Hutchinson moved to amend by inserting Saturday, Feb. 11, instead of Friday, Feb. 10, as the time for adjournment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moseley Hutchinson to amend, and it was determined in the negative.

Mr. Cook moved to amend by inserting 7 o'clock, on Feb. 16th inst., as the day for reassembling.

Mr. Germain moved to amend the amendment by inserting Friday, Feb. 17th, at 12 o'clock at noon.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Germain to amend the amendment, and it was determined in the affirmative.

Debate was had thereon, when

Mr. Germain moved to reconsider the vote last taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Germain to reconsider, and it was determined in the affirmative.

Mr. Cook's amendment was then adopted.

The question then being upon the resolution as amended.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative, as follows :

{ AYES 54 }
{ NOES 20 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Cushman	Mrs. Hutchinson	Preston	Thorne
Baker	R. Dunlap	Jenkins	Robertson	Underwood
Benedict	Freeman	Kirkland	Rose	Ward
Boyd	Germain	Littlefield	Searing	Weed
Burgess	Gibbs	Littlejohn	Seeley	Wilson
Burnett	Gott	Lozier	Sheeley	D. Willis
Clark	Harpur	G. Miller	Sill	J. E. Willis
Olintho	Harris	Monfort	Smalley	Williams
Cook	Holdridge	Morris	Speaker	Winne
Collins	Hollenbeck	Noble	Stephens	D. P. Wood
Coaling	Hoyle	Palmer	Thompson	W. H. Wood 55

Those who voted in the negative are,

Backus	Beers	Kinney	L. Miller	Randall
S. Baldwin	Cumming	Lee	S. F. Miller	Sessions
Barrow	Ferguson	Legg	Odell	Suffern
Barton	Mat. Hutchinson	Mather	Peters	Wart 20

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed without amendment, the following resolution:

Resolved, (if the Senate concur,) That the Secretary of State be directed to authorise one or more printers in each county in this State, to print ballots to the amount of four times the number of electors in the county, to be used at the special election to be held on the 15th February instant, at the rate of not to exceed \$1.50 for each thousand ballots so printed; that one-half the number of said ballots shall contain the words "For the proposed amendment in relation to canals;" and the other half, "Against the proposed amendment in relation to canals;" and that said printer or printers shall distribute said ballots to the several town clerks of the county, previous to the evening of the 13th day of February inst.

On motion of Mr. Ward,
The House at twenty-five minutes to 2 o'clock, adjourned.

MONDAY FEBRUARY 6, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday were read and approved.

Mr. A. A. Dunlop presented the petition of James Thorn, N. S. S. Beman, and others, of Troy, praying for a law to promote medical science, which was read and referred to the committee on medical societies and colleges.

Mr. Chesebro presented the petition of 54 inhabitants of Weedsport, Cayuga co., to impose tolls on railroads, which was read and referred to the committee on canals.

Mr. Moseley Hutchinson presented the petition of Mr. Segoin, and other officers and soldiers of the militia, praying for the preservation of the present militia, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Wart presented the petition of the board of supervisors of Oswego co., for an amendment of the militia law, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Lozier presented the petition of citizens of Dansville, in regard to the slip and basin on the Genesee Valley canal, for pay to the persons who contributed to build the same, which was read and referred to the committee on canals.

Mr. Hoyle presented the petition of the inhabitants of the town of Champlain, Clinton co., praying for an act for the election of a fifth justice of the peace in said town, which was read and referred to the committee on the judiciary.

Mr. R. J. Baldwin presented the remonstrance of 431 citizens of Chenango co., against an act allowing the Butternuts and Ox-

ford turnpike company to abandon all but ten miles of their road, which was read and referred to the committee on roads and bridges.

Mr. Mosely Hutchinson presented the petition of Eleanor Feeck, praying for a grant of land, or its equivalent, for revolutionary services by her father, which was read and referred to the committee on militia and public defence.

Mr. Moseley Hutchinson presented the petition of Henry H. Bostwick, praying for a grant of land to Eleanor Feeck, for revolutionary services of her father, which was read and referred to the committee on militia and public defence.

Mr. Neilson presented the petition of John W. Thompson, and 240 others, of Ballston Spa, praying for the early passage of the bill for the change of the route of the Sacketts Harbor and Saratoga railroad company, which was read and referred to the committee on railroads.

Mr. Neilson presented the petition of 177 persons residing on the line of the southern route, upon the same subject, for the same object, which was read and referred to the committee on railroads.

Mr. Randall presented 4 several petitions of citizens of Chemung, Steuben and Tompkins counties, praying for a new county from territory near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Lee presented the remonstrance against the repeal of the Van Cortlandt bridge company, which was read and referred to the committee on roads and bridges.

Mr. Gibbs presented 4 several remonstrances of citizens of Livingston county, against the division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 5,000 extra copies of the annual report of the Canal Commissioners for the use of the Legislature, and 2,000 for the use of the Commissioners, reported in favor of the adoption of the same, which report was agreed to.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the New-York Dry Dock company, which was read and referred to the committee on banks.

The Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' as far as the same relates to the village of Tonawanda, in the counties of Erie and Niagara," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cheesbro	Holdridge	L. Miller	Stephens
Bailey	Clinton	Hollenbeck	S. F. Miller	Sterling
Baker	Cook	Hoyle	Mitchell	Suffern
Backus	Collins	Hull	Monfort	Thompson
R. J. Baldwin	Conkling	Mat. Hutchinson	Nelson	Thorn
S. Baldwin	Cumming	Mos. Hutchinson	Palmer	Underwood
Barrow	Cushman	Jenkins	Preston	Ward
Barton	A. A. Dunlop	Joy	Randall	Ware
Baucus	R. Dunlap	Kimney	Richards	Wart
Beers	Ferguson	Kirkland	Rowland	Weed
Benedict	Freeman	Lee	Savage	Wilder
Bennett	Germain	Legg	Searing	D. Willis
Boardman	Gibbs	Leigh	Sessions	J. E. Willis
Boyd	Gorham	Littlefield	Sheeley	Williams
Brust	Harpur	Littlejohn	Shi	Winne
Burgess	Harris	Lozier	Smalley	W. H. Wood
Barnett	Hinkley	Mather	Speaker	84

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill to regulate assessments of real estate in the city and county of New-York.

Mr. Sterling gave notice that he would, at some future day, ask leave to introduce a bill authorising the trustees of the Lancaster school society of Poughkeepsie, to convey their real estate in Poughkeepsie, to the trustees of said village, for common school purposes.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to provide for the better security of passengers on board of steam ferry boats."

Mr. Gibbs gave notice that he would, at an early day, ask leave to introduce a bill to amend an act, entitled "An act to authorise stockholders of railroads and plank road companies, to make payment upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages, passed June 30, 1853."

Mr. Suffern gave notice that he would, at an early day, ask leave to bring in a bill to legalise the annual election for village officers held in the village of Piermont, county of Rockland, on the first Tuesday of March, 1853.

Mr. Savage gave notice that he would, at an early day, ask leave to introduce a bill to amend the general banking law.

In pursuance of previous notice, Mr. S. Miller asked and obtained leave to introduce a bill entitled "An act to legalise the acts of Warren H. Wright, a justice of the peace of the town of Potsdam, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to repeal the act entitled 'An act to regulate the rate of wharfage on lighters in the cities of New-York and Brooklyn,' passed April 13, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act in relation to the criminal courts in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act for the relief of Maria Vincenta Rodriguez," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act authorising the payment of an award to Harvey Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act relating to the Utica and Binghamton railroad company, empowering it to apply for appraisal of land on complying with certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to legalise alteration of plan of bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to extend the time for paying in the capital stock of the Hoffman Grove association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to provide for the appraisal and payment of canal damages to William Mapes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

In pursuance of previous notice, Mr. Chesebro asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to equalize taxation,' passed May 13, 1846," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. R. J. Baldwin, asked obtained leave to introduce a bill entitled "An act to provide for the electors of overseers of highways in the several road districts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on roads and bridges.

In pursuance of previous notice, Mr. Moseley Hutchinson asked and obtained leave to introduce a bill entitled "An act to amend an act authorising the city of Auburn to borrow money," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on incorporation of cities and villages.

In pursuance of previous notice, Mr. R. Dunlap moved to suspend the fourth rule, for the purpose of instructing the committee on roads and bridges, to which was referred an act for the relief of the Lockport and Cambria plank road company, to report complete.

Mr. Speaker put the question whether the House would assent to the said motion of Mr. R. Dunlap, and it was determined in the affirmative.

On motion of Mr. R. Dunlap,

Resolved, That the committee on roads and bridges, are authorised to report the bill entitled "An act for the relief of the Lockport and Cambria plank road company," complete.

On motion of Mr. Mathias Hutchinson,

The House proceeded to the consideration of the resolution heretofore offered, in the words following, to wit :

Resolved, That the use of the Assembly chamber be granted to the New-York State Agricultural society, on Wednesday next, at 12 o'clock, at noon ; also, on the afternoon and evening of the same day, and on Thursday evening, Feb. 9, for the annual meeting of the society.

Mr. Speaker put the question whether the House would assent to the said motion of Mr. Mathias Hutchinson, and it was determined in the affirmative.

Mr. Benedict called up for the consideration of the House, a resolution heretofore offered by him, in the words following to wit :

Resolved, That the Secretary of State be requested to report to this House, at as early a day as practicable, the number of 1st, 2d, 3d and 4th volumes of the Documentary History of the State printed and distributed in the years 1849, 1850, 1851, 1852 and 1853, in pursuance of the resolutions of the Legislature passed in each year, to whom delivered, and the amount paid in each year for the same, and to whom paid ; and also the number now on hand for distribution.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Harris offered for the consideration of the House, the following resolutions, to wit:

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to oppose any and all action countenancing a repeal of the Missouri Compromise, so called, and that they be requested to use all honorable means to prevent the passage of the bill called the Nebraska bill, introduced by Senator Douglass, of Illinois; as we regard that bill a gross violation of said compromise, and a subversion of the rights of the North secured by it.

Resolved, (if the Senate concur,) That we regard the introduction of that bill into the Senate of the United States, as a renewal of the agitation of slavery, which the South have regarded as settled and quieted by the compromise of 1850, and that the passage of said bill in the Senate, be and is hereby regarded as an open violation of all the compromises of 1850, and a declaration of war in favor of the institution of slavery, and the Northern or free States will regard it as such an act accordingly.

Resolved, (if the Senate concur,) That the Governor of this State be requested forthwith to furnish copies of the above resolutions to each of the Senators and Representatives in Congress from this State, who are requested to present them for the consideration of Congress.

Ordered, That said resolutions be laid on the table.

Mr. Harris called up for the consideration of the House, a resolution heretofore offered by him, in the words following, to wit:

Resolved, That the use of the Assembly Chamber be granted to the 25th regiment of the militia of this State, for the delivery of an oration before said regiment, on the birth day of Washington, 22d February inst.

Mr. Lozier moved to amend by adding, "Provided it shall not interfere with the regular session of the Assembly."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, to amend, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Mr. Boardman offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the Clerk be directed to order new and deeper drawers to be put in the desks of the Assembly chamber in place of the drawers now in use by the members—the present drawers being wholly insufficient for the purposes intended.

Ordered, That said resolution be referred to the committee on the expenditures of the House.

Mr. Peters called up for the consideration of the House, a resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Canal Commissioner furnish copies of all papers on file in their office relative to the commutation of bridges on the eastern division of the Erie canal, since January 1, 1853.

Mr. Moseley Hutchinson called up for the consideration of the House, the resolutions heretofore offered by him, in the words following, to wit :

Resolved, (if the Senate concur,) That our Senators in Congress be instructed, and the Representatives in Congress from this State be requested to set apart and appropriate for their use, forever, such portion of the public domain as in their opinion will be sufficient for a home for the Northwest tribes of Indians located East of the Rocky mountains, upon such conditions and terms as Congress shall deem just and proper.

Resolved, That the foregoing resolution be forwarded to our Senators and Representatives in Congress.

Mr. Speaker then put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

On motion of Mr. R. J. Baldwin,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," and that it be referred to the standing committee on roads and bridges.

On motion of Mr. Sessions,

Resolved, That the bill to provide for Government expenses be recommitted to the committee of ways and means.

The House then resolved itself into a committee of the whole on the unfinished business of February 2d, being the bill entitled as follows :

"An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess, in the penitentiary of the county of Albany, and to prescribe the punishment for certain offences."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. F. Miller, from said committee, reported that the committee had gone through said bill, made sundry amendments thereto, and as amended, recommend its passage, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

The House then resolved itself into a committee of the whole on the unfinished business of January 28th, being the bill entitled as follows :

"An act to incorporate the United States inebriate asylum, for the reformation of the poor and destitute inebriate."

Pending consideration thereon, the hour of adjournment having arrived, Mr. Speaker resumed the chair and announced that the House would take a recess until half-past 3 o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

On motion of Mr. Leigh, and by unanimous consent,

Resolved, That a respectful message be sent to the Senate requesting that body to transmit to this House, (from their files of 1853,) the bill and papers connected with the application of Job Lea, an alien, to hold and convey real estate.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sessions offered, for the consideration of the House, resolutions in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the suppression of intemperance," and that the same be referred to a select committee to report the same complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, as follows:

{ AYES 35 }
{ NOES 60 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Backus	Fiero	Mat. Hutchinson	Peters	Ward
S. Baldwin	Freeman	Joy	Scott	Weed
Beers	Gibbs	Kinney	Sessions	Wilder
Bennett	Gott	Lozier	Sterling	D. Willis
Cook	Hall	L. Miller	Stuffer	J. E. Willis
Conkling	Howell	Noble	Thorn	Winne
Cumming	Hoyle	Palmer	Underwood	W. H. Wood 35

Those who voted in the negative are,

Aitkin	Chesebro	Hatch	Littlejohn	Seeley
Bailey	Clinton	Hinkley	Mather	Sharp
Baker	Cushman	Holdridge	S. F. Miller	Sheeley
R. J. Baldwin	Dewey	Hollenbeck	Mitchell	Sill
Barrow	A. A. Dunlop	Hull	Monfort	Smalley
Barton	R. Dunlap	Mos. Hutchinson	Preston	Speaker
Bancus	Edwards	Jenkins	Randall	Stephens
Benedict	Ferguson	Kirkland	Richards	Thompson
Boyd	Germain	Lee	Robertson	Wart
Brust	Gorham	Legg	Rose	Whipple
Burgess	Harpur	Leigh	Rowland	Whisman
Burnett	Harris	Littlefield	Searing	Williams 60

By unanimous consent,

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to authorise the railroad corporations of this State to subscribe to the capital stock of the Alleghany valley railroad, Pennsylvania."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lozier, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the relief of Lockport and Cambria plank road company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Speaker announced the special order, it being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole, on said bill.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Lozier moved that this House now take a recess until half-past 7 o'clock this evening.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative.

On motion of Mr. Leigh,

The bill entitled "An act for the suppression of intemperance," was made the special order for to-morrow at half-past 3 o'clock, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Lozier,

At five minutes past 6 o'clock p. m., the House adjourned.

TUESDAY, FEBRUARY 7, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The minutes of yesterday were read and approved.

This being the day prescribed by the rules for general orders,

The House then resolved itself into a committee of the whole on the following entitled bill :

"An act to incorporate the United States Inebriate asylum for the poor and destitute inebriate."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. Baldwin, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Sessions,

Said bill was recommitted to the committee on charitable and religious societies, and to retain its place in committee of the whole.

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows :

"An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison, by Zalmon J. McMaster and Jacob T. Merrit."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. Baldwin, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment.

On motion of Mr. R. J. Baldwin,

Ordered, That the question of agreeing with the report of the committee, be laid on the table.

Mr. Speaker presented the communication of the committee appointed on the part of the Medical Society of the State of New-York, to solicit the use of the Assembly Chamber for the delivery of the address of the President of said society, at 7 o'clock this evening.

On motion of Mr. Burnett,

Resolved, That the foregoing request be granted.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to incorporate the Saratoga Lake bridge company."

"An act to amend the charter of the Protestant Episcopal Church Missionary Society, for seamen, in the city and port of New-York."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fiero, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Mr. Fiero, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills do have their third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to enable the Newark Lime and Cement Manufacturing company to purchase, hold and convey lands and real estate in this State."

"An act to amend an act entitled 'An act to authorise the city of Oswego to take stock in railroads, and to sell its bonds to provide for the payment thereof,' passed May 27, 1853."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Backus, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to,

Mr. Backus, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the Senate bill entitled as follows, to wit:

"An act to facilitate the development of lead mines in the town of Bossie, in the county of St. Lawrence."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Angle, from said committee, reported that the committee had gone through said bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act for the relief of the Poughkeepsie and Salt Point plank road company."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Angle, from said committee, reported that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the acts of Horace Treadwell, a justice of the peace of the town of Jefferson, in the county of Schoharie."

"An act to enlarge the powers of boards of supervisors."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Edwards, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

The hour of one and three-quarters o'clock p. m., having arrived, Mr. Speaker announced that this House would take a recess till half-past three o'clock.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Speaker presented the twenty-ninth annual report of the Society for the Reformation of Juvenile Delinquents, which was read and referred to the committee on charitable and religious societies.

On motion of Mr. Lozier,

Resolved, That when this House adjourns to-day, it adjourns to meet at 10 o'clock to-morrow morning.

By unanimous consent,

The Senate bill entitled "An act to authorise the railroad corporations of this State to subscribe to the capital stock of the Alleghany Valley railroad, Pennsylvania," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Mat. Hutchinson	Mitchell	Speaker
Bailey	Cumming	Mos. Hutchinson	Monfort	Sterling
Baker	E. Dunlap	Jenkins	Palmer	Suffern
Backus	Ferguson	Joy	Peters	Thompson
S. Baldwin	Fiero	Kinney	Randall	Thorn
Barton	Freeman	Kirkland	Richards	Townsend
Beers	Germain	Legg	Richardson	Underwood
Benedict	Gorham	Leigh	Robertson	Ward
Bennett	Hall	Littlefield	Rowland	Wart
Boardman	Harpur	Lozier	Scott	Weed
Boyd	Harris	Mather	Searing	Wilder
Brust	Hinckley	May	Sessions	J. E. Williams
Burgess	Hollenbeck	McGraw	Seeley	Williams
Burnett	Howell	McMurray	Sill	Winne
Chasebro	Hoyle	G. Miller	Smalley	W. H. Wood
Cook	Hull	S. F. Miller		

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For the negative,

Hatch

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, without amendment, the following resolution :

Resolved, (if the Senate concur,) That when this Legislature adjourns on Friday, February 10th, it will adjourn to meet on Thursday, February 16th, at 7 o'clock p. m. of that day.

Mr. Speaker announced the special order, it being the consideration of the bill, entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole on said bill :

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Seeley,

At thirty minutes past five o'clock p. m., the House adjourned.

WEDNESDAY, FEBRUARY 8, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The minutes of yesterday were read and approved.

Mr. Littlefield presented two several petitions of inhabitants of the county of Jefferson, Mr. Noble two several petitions, Mr. Burnett five several petitions, Mr. Hoyle two several petitions, Mr. Collins one petition, Mr. Dewey seven several petitions, praying for the early passage of the law authorising the Sacketts Harbor and Saratoga railroad company to pass through the counties of Warren and Essex, which were read and referred to the committee on railroads.

Mr. Hoyle presented a remonstrance against any change of route of Sacketts Harbor and Saratoga railroad company, which was read and referred to the committee on railroads.

Mr. Whitman presented two several remonstrances on the same subject, which were read and referred to the committee on railroads.

Mr. Hollenbeck presented a remonstrance on the same subject, which was read and referred to the committee on railroads.

Mr. Robertson presented the petition of citizens of the town of Windham, Greene co., Mr. Gott presented the petition of the Rev. H. E. Niles, and others of Valatia, Columbia co., Mr. Odell presented the petition of citizens of Yonkers, Mr. Barton presented the petition of inhabitants of the town of Wright, Schoharie co., for the Maine law without submission, which were read and committed to the committee of the whole.

Mr. Fiero presented two several remonstrances against any amendments to the Schoharie Kill Bridge company, which were read and referred to the committee on roads and bridges.

Mr. Savage presented the petition of inhabitants of the 19th and 22d wards of the city of New-York, for the establishment of a new ward in that city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. D. P. Wood presented a petition to have avails of convicts labor secured to their families, which was read and referred to the committee on State prisons.

Mr. Fiero presented a petition for a law to protect persons against legal frauds practised by the Saratoga mutual insurance company, which was read and referred to the committee on insurance companies.

Mr. May presented two petitions of inhabitants of Allegany co., for a law authorising the construction of a feeder on the Genesee Valley canal, which were read and referred to the committee on canals.

Mr. D. P. Wood presented a petition for an act to fix boundaries of lands belonging to the Onondaga Indian reservation, and to prevent encroachments on the same, which was read and referred to the committee on Indian affairs.

Mr. Munroe presented a petition for the relief of Elihu Perry, which was read and referred to the committee on claims.

Mr. Baker presented the petition of George Geortner for relief, which was read and referred to the committee on claims.

Mr. Conkling presented eleven several petitions of citizens of New-York, for the passage of the bill to promote medical science, which were read and committed to the committee of the whole.

Mr. Stephens presented five several petitions of Steuben county, for the erection of a new county from parts of Steuben and Allegany, which were read and referred to the committee on the erection and division of towns and counties.

Mr. May presented the remonstrance of inhabitants of Allegany county, against any division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Gibbs presented four several remonstrances of inhabitants of Livingston co., against a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Randall presented six several petitions of inhabitants of the counties of Chemung, Tompkins and Yates, for a new county from parts of said counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. R. J. Baldwin presented the remonstrance of citizens of Chenango county, against allowing the Oxford and Butternuts turnpike, to abandon all, but ten miles of their road, which was read and referred to the committee on roads and bridges.

Mr. Townsend presented a petition from citizens of Cayuga co., to close the canals on the Sabbath, which was read and referred to the committee on canals.

Mr. Jenkins presented the petition of inhabitants of Allegany co., for the construction of a feeder to the Genesee Valley canal on the Genesee river, which was read and referred to the committee on canals.

Mr. Speaker presented the petition of Samuel Freeman, for the repeal of a law authorising other than tavern licenses in the village of Saratoga Springs, which was read and referred to the committee on the incorporation of cities and villages.

Mr. D. P. Wood presented the petition for an act to prevent the waste of timber upon the Onondaga Indian reservation, which was read and referred to the committee on Indian affairs.

Mr. Randall presented the petition of Charles Cook for damages for lands taken for the use of Chemung canal, which was read and referred to the committee on claims.

Mr. Neilson presented the petition of Leonard Hodgeman, for relief, which was read and referred to the committee on claims.

Mr. Littlejohn presented the petition of citizens of Oswego, asking for an amendment of the law relating to recorder's court in that city, which was read and referred to the committee on the judiciary.

Mr. Hatch presented the petition of J. W. Woolson and others, for an amendment of the Union free school act of 1853, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Hall presented the remonstrance of John Fine and others, citizens of Ogdensburgh, against any amendment of the 49th section of their village charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Howell presented the petition of inhabitants of Ulster co., in reference to taxing bank stock, which was read and referred to the committee on banks.

Mr. Montfort presented the petition of sundry inhabitants of the county of Dutchess for the repeal of the act passed April 12, 1853, for the relief of the Dutchess turnpike company, which was read and referred to the committee on roads and bridges.

Mr. Howell presented the petition of inhabitants of Shawangunk, for the relief of the late overseers of the poor of said town, which was read and referred to the committee on the judiciary.

Mr. Monroe presented the petition of Elihu Parrey for relief, which was read and referred to the committee on claims.

By unanimous consent,

Mr. Germain asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Germain,

Said bill was referred to a select committee, consisting of the Erie delegation.

By unanimous consent,

Mr. D. P. Wood asked and obtained leave to introduce a bill entitled "An act to revise the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. D. P. Wood,

Said bill was referred to a select committee, consisting of the Onondaga delegation.

By unanimous consent,

Mr. Angle asked and obtained leave to introduce a bill entitled "An act further to amend the charter of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Angle,

Said bill was referred to a select committee, consisting of the Monroe delegation.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the stockholders of the West Bloomfield and Richmond plank road company, praying for an additional toll gate, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the West Bloomfield and Richmond plank road company to erect an additional toll gate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of bridge companies,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the Schoharie Kill bridge company, praying for an act to amend the charter of the Schoharie Kill bridge company, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the charter of the Schoharie Kill bridge company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the preservation of the Oswego falls bridge, at Fulton, Oswego county," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to repeal the charter of the Canaan and Union village turnpike company," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act in relation to the Williamsburgh and Cyprus Hill plank road company," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Sessions, from the committee on ways and means, to which was referred the Senate bill entitled "An act to provide for certain expenses of government," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of the village of Walton, praying for the repeal of an act entitled "An act in relation to the powers and duties of the trustees of the village of Walton, passed June 21, 1853," reported, and asked and obtained leave to bring in a bill entitled "An act to repeal an act entitled 'An act in relation to the powers and duties of the trustees of the village of Walton,' passed June 21, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Essex county, praying for the appointment of a commissioner, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise Joel F. Potter and Daniel Judd, as commissioners to fill a vacancy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Buffalo cemetery association," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to amend an act to incorporate the Mariners' savings institution, in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Littlejohn, from the committee on canals, to which was referred the bill entitled "An act authorising the payment of an award to Harry Hall," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wood, from the committee on colleges, academies, and common schools, to which was referred the bill entitled "An act in relation to benevolent, scientific and literary corporations," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act to authorize the towns of Sodus, Arcadia and Phelps, to subscribe for stock in the Sodus Point and Southern railroad," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The committee on state prisons, to which was referred the resolution of the board of supervisors of the county of Erie, praying for an amendment of the law passed April 26, 1846, providing for the confinement of convicts in the Erie county penitentiary, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the erection and establishment of a work house in the county of Erie,' passed April 6, 1846," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to the office of register of deeds of the city and county of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act authorising the city of Auburn to borrow money," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act pro-

viding for compensation to the county treasurer of the county of Kings, for services rendered by him under the act of April 12, 1848, relating to funds and securities in possession of the clerk of the court of appeals," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of George Potts, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of George Potts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the first Methodist Episcopal church of Bergen, Genesee county, and of the first Methodist Episcopal church of Adams, Jefferson county, for leave severally to sell land, reported in writing, and offered the following resolution :

Resolved, That the committee on the judiciary be instructed to report to this House such amendments to the general laws relative to religious and charitable corporations, as in their opinion may be needed to reduce the trouble and expense attending the application of such corporations for power to sell or mortgage real estate.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Rose, from the committee on Indian affairs, to which was referred certain petitions and papers relating to claims of Indians to lands in the Livingston and Van Rensselaer manorial colonial grants, reported in writing, and asked to be discharged from the further consideration, or be instructed upon the same.

On motion of Mr. Benedict,

Said petitions and papers were recommitted, with instructions to report a bill in accordance therewith.

By unanimous consent,

Mr. Odell asked and obtained leave to introduce a bill entitled "An act for the relief the New-York and New-Rochelle railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Germain, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to review the charter of the city of Buffalo, and to enlarge its boundaries,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented a communication from the Canal Commissioners, in compliance with a resolution from the Assembly, relating upon them for copies of all papers on file in their office relating to commutation of bridges on the eastern division of the Erie canal since January 1st, 1853, which was read and referred to the committee on canals.

Mr. Speaker having announced the order of business, communications from the Senate,

On motion of Mr. D. P. Wood,
That order of business was laid on the table.

Mr. Speaker announced third reading of bills.

On motion of Mr. D. P. Wood,
That order of business was laid on the table.

Mr. Speaker announced notices in order.

On motion of Mr. D. P. Wood,
That order of business was laid on the table.

The order of resolutions having been reached,

On motion of Mr. Leigh,
The bill entitled "An act for the suppression of intemperance," was made the special order for half-past three o'clock p. m., to-morrow.

On motion of Mr. Lozier,
The House agreed to the report of Mr. Benedict, from the committee of the whole, upon the aforesaid bill, made at the rising of said committee on yesterday, and granted leave to sit again.

Mr. Lozier called up, for the consideration of the House, the resolutions heretofore offered by Mr. Harris, in the words following, to wit:

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to oppose any and all action countenancing a repeal of the Missouri Compromise, so called, and that they be requested to use all honorable means to prevent the passage of the bill called the Nebraska bill, introduced by Senator Douglass, of Illinois, as we regard that bill a gross violation of said compromise, and a subversion of the rights of the North secured by it.

Resolved, (if the Senate concur,) That we regard the introduction of that bill into the Senate of the United States, as a renewal of the agitation of slavery, which the South have regarded as settled and quieted by the compromise of 1850, and that the passage of said bill in the Senate, be and is hereby regarded as an open violation of all the compromises of 1850, and a declaration of war in favor of the institution of slavery, and the Northern or free States will regard it as such an act accordingly.

Resolved, (if the Senate concur,) That the Governor of this State be requested forthwith to furnish copies of the above resolution.

tions to each of the Senators and Representatives in Congress from this State, who are requested to present them for the consideration of Congress.

Ordered, That said resolutions be laid on the table.

Mr. Harris accepted, as a substitute for said resolutions, the following :

Resolved, (if the Senate concur,) That we view with deep regret and with unfeigned alarm the proposition contained in a bill to organize the territory of Nebraska, submitted on the 23d day of January, 1854, to the Senate of the United States from the committee on territories, whereby it is declared that the "eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, was superseded by the principles of the legislation of 1850, commonly called the compromise measures, and it is hereby declared inoperative;" that the adoption of this provision would be in derogation of the truth; a gross violation of plighted faith, and an outrage and indignity upon the free States of the Union, whose assent has been yielded to the admission into the Union of Missouri and of Arkansas with slavery, in reliance upon the faithful observance of the provision (now sought to be abrogated) known as the "Missouri compromise," whereby slavery was declared to be "forever prohibited in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees, thirty minutes north latitude, not included within the limits of the State of Missouri."

Resolved, (if the Senate concur,) That inasmuch as it is expressly and in terms enacted in an act entitled "An act proposing to the State of Texas the establishment of her northern and western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a territorial government for New Mexico," approved September 9, 1850, as follows, viz: "Nothing herein contained shall be construed to impair or qualify anything contained in the third article of the second section of the joint resolution for annexing Texas to the United States, approved March 1, 1845, either as regards the number of states that may hereafter be formed out of Texas or otherwise," which said third article of the second section of the joint resolution for annexing Texas, contains the following provision: "And in such State or States as shall be formed out of said territory, north of said Missouri compromise line, slavery or involuntary servitude, (except for crime) shall be prohibited," the principle and the application of the Missouri compromise is maintained, unimpaired, and unqualified, and that the Legislature and the people of this State will hold the application by Congress of a contrary intent, at this time, to be in derogation of the truth, an arbitrary exercise of assumed power, an unjust and unworthy

violation of good faith and an indignity to the free states of the Union.

Resolved, (if the Senate concur,) That although the people of the State of New-York have abolished slavery within their limits, and have thereby expressed their disapprobation of the holding in bondage of human beings, they are not disposed to interfere with the rights of other States to regulate their internal policy according to their own sense of right. But at the same time, duty to themselves and to the other States of the Union demands, that when an effort is making to violate a solemn compact, whereby the political power of the State, and the privileges as well as the honest sentiments of its citizens will be jeopardized and invaded, they should raise their voice in protest against the threatened infraction of their rights, and declare that the negation or repeal by Congress of the Missouri compromise will be regarded by them as a violation of right and of faith, and destructive of that confidence and regard which should attach to the enactments of the federal Legislature.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to oppose any action which shall look in any degree, to a repeal, or to a negation of the binding force of the provisions known as the Missouri compromise, and that they use all honorable efforts to defeat the passage of that or any other bill violating said compromise, or authorising or allowing the establishment of slavery in any portion of the territories of the United States north of the line established preparatory to the admission of Missouri as aforesaid.

Resolved, (if the Senate concur,) That the Governor of this State be requested forthwith to furnish copies of the above resolutions to each of the Senators and Representatives in Congress from this State.

Mr. Angle offered as a substitute for the resolutions of Mr. Harris, the following:

"Whereas, the act admitting the State of Missouri into the Union, and commonly known as the Missouri compromise, declared that slavery should be forever excluded from the Louisiana territory, lying north thirty-six minutes, thirty degrees north latitude, and not included in the State of Missouri, and which declaration, in view of the circumstances under which it was made, has all the moral force and obligation of a constitutional provision; and, whereas, the measure introduced into the Senate of the United States, on the 23d January, 1854, and known as the Nebraska territory bill, is an avowed violation of the Missouri compromise, and whose passage into a law would be utterly subversive of all good faith, and of public confidence in the most solemn compacts;" therefore,

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to oppose any action which shall look in any degree to a repeal or negation of the binding

force of the provisions known as the Missouri compromise, and that they use all honorable efforts to defeat the passage of that or any other bill violating said compromise, or authorising or allowing the establishment of slavery in any portion of the territories of the United States north of the line established preparatory to the admission of Missouri as aforesaid.

Resolved, (if the Senate concur,) That the Governor of this State be requested forthwith to furnish copies of the above resolutions to each of the Senators and Representatives in Congress from this State.

Mr. Benedict moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker stated the previous question to be on the resolutions substituted by Mr. Harris for those previously offered by him.

Mr. Burnett called for a division of the question.

Mr. Speaker put the question whether the House would agree to the three first resolutions, and it was determined in the affirmative, as follows :

{ AYES 80 }
{ NOES 27 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	G. Miller	Savage
Bailey	Collins	Mos. Hutchinson	L. Miller	Scott
Baker	Conkling	Jenkins	S. F. Miller	Sessions
Bacus	Cumming	Joy	Mitchell	Sharp
R. J. Baldwin	Dewey	Kinney	Monfort	Sill
S. Baldwin	Fiero	Kirkland	Munroe	Speaker
Barrow	Germaine	Leigh	Nelson	Sterling
Beers	Gorham	Littlefield	Palmer	Thorn
Benedict	Gott	Littlejohn	Payne	Townsend
Bennett	Hall	Lazier	Peters	Underwood
Bergen	Harpur	Mallory	Randall	Ward
Boardman	Harris	Martin	Richards	Weed
Boyd	Hatch	Mather	Richardson	Wilder
Burgess	Howell	May	Robertson	J. E. Willis
Burnett	Hoyle	McGraw	Rose	Winna
Chesebro	Hull	McMurray	Rowland	D. P. Wood 80

Those who voted in the negative are,

Aitken	Cushman	Lee	Searing	Suffern
Barton	R. Dunlap	Legg	Seeley	Thompson
Bacus	Edwards	Mills	Sheeley	Williams
Brust	Gibbs	Noble	Smalley	J. S. Wood
Clark	Gleason	Odell	Stephens	W. H. Wood 27
Clinton	Hollenbeck			

Mr. Speaker put the question whether the House would agree to the two last of said resolutions, and it was determined in the affirmative, as follows:

{ AYES 77 }
{ NOES 26 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Collins	Mos. Hutchinson	L. Miller	Scott
Bailey	Conkling	Joy	S. F. Miller	Sessions
Baker	Cumming	Kinney	Mitchell	Sill
Backus	Fiero	Kirkland	Monfort	Speaker
R. J. Baldwin	Germain	Leigh	Munroe	Sterling
S. Baldwin	Gleason	Littlefield	Palmer	Thorn
Barrow	Gorham	Littlejohn	Payne	Townsend
Beers	Gott	Lozier	Peters	Underwood
Benedict	Hall	Mallory	Randall	Ward
Bennett	Harpur	Martin	Richards	Weed
Bergen	Harris	Mather	Richardson	Wilder
Boardman	Hatch	May	Robertson	J. E. Willis
Boyd	Howell	McGraw	Rose	Winne
Burgess	Hoyle	McMurray	Rowland	D. P. Wood
Chesebro	Hull	G. Miller	Savage	W. H. Wood
Cook	Mat. Hutchinson			

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Those who voted in the negative are,

Aitken	Clinton	Gibbs	Mills	Sheeley
Barton	Cost	Hollenbeck	Noble	Smalley
Baucus	Cushman	Jenkins	Odell	Suffern
Brust	Dewey	Lee	Searing	Thompson
Burnett	E. Dunlap	Legg	Seeley	J. S. Wood
Clark				

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Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

On motion of Mr. R. J. Baldwin,

Resolved, That the Attorney General be, and he is hereby requested to inquire and report to this House whether the sums recovered against the agents of the several prisons of this State for carelessness, negligence, or default of the officers, agents or servants of said prisons, are collectable upon the official bonds of the said agents, or otherwise.

On motion of Mr. Clinton,

Resolved, That a respectful message be addressed to the Senate, requesting the transmission to this House, of all papers relating to the merchants' and clerks' library association, and that the same when received be referred to the committee on colleges academies and common schools.

Mr. Peters called up for the consideration of the House a resolution heretofore offered by him, in the words following, to wit:

Resolved, That the committee on banks be, and they are hereby instructed to report a bill for a general law to incorporate savings banks, or institutions.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Fiero offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That all mutual insurance companies having agents soliciting business for the company, and taking applications, shall be considered the agents of the company, and any company endeavoring to avoid its responsibility by inserting in its policy or in its applications any thing to the contrary shall forfeit its charter.

Debate was had thereon, when

On motion, said resolution was laid on the table.

On motion of Mr. May,

Resolved, That this House request the Senate to transfer the petitions for, and remonstrances against, the various divisions of Allegany county, to this House, which have been presented at the present session.

By unanimous consent,

Mr. Robertson gave notice that he would to-morrow ask a suspension of the 4th rule for the purpose of moving to refer the bill entitled "An act to amend the charter of the Schoharie Kill bridge company," to a select committee, to report complete.

By unanimous consent,

Mr. Backus gave notice that he would at some future day ask leave to introduce a bill to amend the general laws relative to the sale of real estate by religious corporations.

On motion of Mr. Lozier,

Resolved, That the Speaker be authorised to certify to the per diem of Hon. Jesse E. Willis, during the time he attended as a contestant for the seat occupied by Alden Adams, as a member of Assembly from the 2d Assembly district of Jefferson county.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to enlarge the powers of boards of supervisors."

"An act to legalise the acts of Horace Treadwell, a justice of the peace of the town of Jefferson, in the county of Schoharie."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Edwards from said committee, reported, that the committee had gone through said second mentioned bill, made no amendments to the same, and recommend its passage, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Savage asked and obtained leave to introduce a bill entitled "An act to amend the general banking law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Speaker presented a communication from the President of the New-York society for the improvement of domestic poultry, tendering an invitation to the officers and members of this House

to attend at Van Veehten Hall, this evening at 7 o'clock, to hear an address, by David Taggart, of Northumberland, Pennsylvania.

Mr. Speaker presented a communication from the Secretary of State, in reply to a resolution of Mr. Benedict, calling for information relative to the Documentary History, the number printed, how distributed, &c., which was read and referred to the committee on colleges, academies and common schools.

A message from the Senate was received and read, informing that they had passed the Assembly resolution, in the words following, to wit.

Resolved, (if the Senate concur,) That there be printed 5,000 extra copies of the annual report of the Canal Commissioners for the use of the Legislature, and 2,000 for the use of the Canal Commissioners.

On motion of Mr. D. P. Wood,
At 12 o'clock M., the House adjourned.

THURSDAY, FEBRUARY 9, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The minutes of yesterday were read and approved.

Mr. Clinton moved that he be allowed to present a written protest against the passage of resolutions, entitled "Nebraska resolutions," and have said protest entered on the journal of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

On motion of Mr. Benedict,

Leave of absence was granted to Mr. Harpur for two days.

Mr. Speaker presented the annual report of the Bowery savings bank, which was read and referred to the committee on banks.

Mr. Speaker presented the annual report of the Westchester county savings bank, which was read and referred to the committee on banks.

Mr. Speaker presented a communication from the Canal Department, in answer to a resolution of the Assembly of January 28, 1854, which was read and referred to the committee on canals.

Mr. Speaker presented a communication from the Auditor, in relation to the act entitled "An act for the relief of Harry Hall," passed in 1852, which was read and referred to the committee on canals.

This being the day prescribed by the rules for general orders,

The House resolved itself into a committee of the whole on the following entitled bills:

"An act for the relief of William Bull."

"An act to amend an act in relation to free schools in the city of Troy, and school district number ten in the town of Lansingburgh, passed July 1, 1851; also to amend the act providing for the establishment of free schools in the city of Troy, passed April 4, 1849."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Savage, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with an amendment, which report was agreed to.

Mr. Savage, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole, on the following entitled bills:

"An act for the relief of John Brown."

"An act amending the charter of the city of Utica."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilder, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Mr. Wilder, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole, on the following entitled bills:

"An act to repeal the highway law in the county of Richmond."

"An act to incorporate Rose Hill savings bank."

"An act to incorporate the Bloomingdale savings bank."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. McGraw, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. McGraw, from said committee reported progress on said second and third mentioned bills, and asked leave to sit again.

Mr. Peters moved to recommit the aforesaid bills to the committee on banks, with instructions to report a general law upon the subject of savings banks.

Mr. Aitken moved to lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitken, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, on the following entitled Senate bills:

"An act permitting the inhabitants of the several towns in the county of Sullivan, to decide by vote, at their annual town meeting, whether they will have one, two or three assessors for each town in said county."

"An act to fix the salary of the Auditor of the Canal Department."

"An act to promote medical science."

And after some time spent thereon, Mr. Sharp, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Mr. Sharp, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said first and second mentioned bills do have their third reading.

Mr. Sharp, from said committee, reported progress on said third mentioned bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds, and other written instruments, by persons residing out of the State of New-York,' passed April 7, 1848."

"An act authorising the surrogate of the county of Genesee to issue letters of administration upon the estate of John Blacksmith, deceased."

"An act changing the name of James Loveland Putnam and Caroline Elizabeth Putnam, to James Loveland Jenks and Caroline Elizabeth Jenks."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Searing, from said committee, reported, that the committee had gone through said bills, and agreed to the same severally without amendment, which report was agreed to.

Mr. Germain moved that said first mentioned bill be amended as follows:—by inserting in the fifth line after the word instrument, "hereafter to be."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Germain to amend, and it was determined in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Oneida plank road company."

"An act to amend an act entitled 'An act to provide for the extension of the draining of the Black creek or Crozier swamp, in the county of Ulster,' passed June 4th, 1853."

"An act to amend the charter of the Globe insurance company, in the city of Utica."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Germain from said committee, reported, that the committee had gone through said bills, and agreed to the same severally without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The hour of one and three-fourths o'clock having arrived, Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

On motion of Mr. Benedict, and by unanimous consent,
Resolved, That when this House adjourns to-day, it will adjourn to meet at half-past 9 o'clock, to-morrow morning.

By unanimous consent, and in pursuance of previous notice,
Mr. Robertson moved to suspend the 4th rule for the purpose of allowing the bill to amend the charter of the Schoharie Kill bridge company, to be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robertson, and it was determined in the affirmative.

On motion of Mr. Robertson, and by unanimous consent,
Resolved, That the bill entitled "An act to amend the charter of the Schoharie Kill bridge company," be referred to a select committee to report complete.

On motion of Mr. Backus, and by unanimous consent,
Resolved, That a respectful message be transmitted to the Senate, requesting that body to return to this House the bill to change the name of the Fulton insurance company, passed by this House, Jan. 25.

By unanimous consent,
Mr. Wood, from the select committee, consisting of the Onondaga delegation, to which was referred the bill entitled "An act to revise the charter of the city of Syracuse," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,
Mr. Angle, from the select committee, consisting of the Monroe delegation, to which was referred the bill entitled "An act further to amend the charter of the city of Rochester," reported that the committee had examined said bill, made sundry amendments

thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Backus, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the United States inebriate asylum, for the reformation of the poor and destitute inebriate," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for the appointment of police officers for the town of Newburgh, in the county of Orange," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Fiero, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Yonkers savings bank," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act to enable Maria Vincente Rodriguez, an alien, to hold, grant or convey certain real estate, or interest therein, and to appoint her trustee under the will of Vincente Roderiguez, passed June 18, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Cook asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the incorporation of the village of Leroy, passed April 6, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill entitled "An act in relation to the collection of assessments and taxes in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Crocheron asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the powers and duties of the Commissioners of Emigration, and for the regulation of the marine hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

A message from the Senate was received and read, informing that they had passed without amendment, the concurrent resolutions in relation to the territory of Nebraska.

Mr. Speaker announced the special order, it being the consideration of the bill entitled "An act for the suppression of intemperance."

The House then resolved itself into a committee of the whole on said bill :

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Littlejohn moved to recommit said bill to a select committee of seven, to report complete.

Mr. R. J. Baldwin moved that the House now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. J. Baldwin, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Littlejohn, and it was determined in the affirmative.

{ AYES 52 }
{ NOES 43 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Gibbs	Legg	Payne	Thorn
Beckus	Hall	Littlejohn	Peters	Townsend
S. Baldwin	Harris	Lozier	Richardson	Ward
Barton	Hinkley	Martin	Robertson	Weed
Beers	Howell	Mather	Rose	Wilder
Benedict	Hoyle	McGraw	Scott	D. Willis
Bennett	Hull	G. Miller	Sessions	J. E. Willis
Case	Mat. Hutchinson	S. P. Miller	Stephens	Winne
Cook	Mos. Hutchinson	Noble	Sterling	D. P. Wood
Conkling	Joy	Palmer	Suffern	W. H. Wood
Cumming	Kinney			

Those who voted in the negative are,

Angie	Burnett	Germain	Mallery	Seeley
Aitken	Chesbro	Gleason	Menfort	Sharp
Baker	Clark	Gorham	Odell	Sill
R. J. Baldwin	Collins	Gott	Preston	Smalley
Barrow	Cushman	Graham	Randall	Speaker
Bancus	Dewey	Jenkins	Richards	Wart
Bergen	A. A. Dunlop	Lee	Rowland	Whipple
Brust	R. Dunlap	Leigh	Searing	Williams
Burgess	Ferguson	Littlefield		

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Mr. Speaker announced as said select committee, (Mr. Littlejohn having declined to act as chairman thereof,) Messrs. Sessions, Littlejohn, Jay, Lozier, Ward, Morris and Sterling.

Mr. Ward, upon his request, having been excused from serving on said committee, Mr. Speaker announced Mr. Mallory in the place thereof.

Mr. Speaker announced as the select committee on the bill to amend the charter of Schoharie Kill bridge company, Messrs. Robertson, Harris and Rowland.

On motion of Mr. Hall,

At ten minutes past seven o'clock p. m., the House adjourned.

FRIDAY, FEBRUARY 10, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

Mr. Gleason presented the petition of Reuben Elwood and Joseph Hechem, for relief, which was read and referred to the committee on claims.

Mr. Burgess presented the petition of Josiah E. Joslin, for a law to examine and pay the estate of said Joslin a claim against the State, which was read and referred to the committee on claims.

Mr. Backus presented the petition of R. O. Crommelin and others, for an act providing for the completion of the opening and grading of Division avenue, in the county of Kings, which was read and referred to the committee on roads and bridges.

Mr. Cumming presented the petition of the board of managers of the North Western Dispensary in the city of New-York, which was read and referred to the committee on ways and means.

Mr. Neilson presented the petition of Benjamin Wright and others, citizens of Saratoga county, for the passage of several different acts, which was read and referred to the committee on grievances.

Mr. Winne presented the petition of David Tomlinson, from unjust taxation, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Whitman presented the petition of inhabitants of Madison county, to abandon a part of their plank road, which was read and referred to the committee on roads and bridges.

Mr. Randall presented 4 several remonstrances of legal voters of Chemung county, against the division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Joy presented the petition of 754 women of Chemung co., for a prohibitory liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Dewey presented the petition of sundry inhabitants of Wattertown, Jefferson county, for the suppression of illegal currency, which was read and referred to the committee on banks.

Mr. Conkling presented the memorial of Jno. C. Green, and others, merchants in the city of New-York, for the passage of a law allowing the continued use of copartnership names in certain cases, which was read and referred to the committee on commerce and navigation.

Mr. Angle presented the remonstrance of the mayor and common council of Rochester, against the amendment of the 5th section of the act for the preservation of the public health, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. A. A. Dunlop presented the petition of sundry inhabitants of Troy and Lansingburgh, for a law to promote medical science, which was read and referred to the committee on medical societies and colleges.

Mr. A. A. Dunlop presented the petition of inhabitants of Albany, on the same subject, which was read and referred to the committee on medical societies and colleges.

Mr. Baker presented the petition of Ephraim Beach, for the payment of capal damages, which was read and referred to the committee on claims.

Mr. Boardman presented the petition of Seth B. Roberts and other citizens of Rome, for a law authorising the construction of a bridge over the Erie canal, at Rome, which was read and referred to the committee on canals.

Mr. Williams presented 7 several petitions of inhabitants of Chemung county, praying for a new county, from territory near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Williams presented 12 several petitions of inhabitants of Steuben county, for a division of said county, and remonstrating against confirming the location of the public buildings at Corning, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Burnett presented 4 several petitions of inhabitants of Clinton and Essex counties, Mr. Littlefield 2, Mr. Dewey 2, and Mr. Noble 2, authorising the Sacketts Harbor and Saratoga railroad

company, to change their route, which were read and referred to the committee on railroads.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to incorporate the Niagara Falls water works company," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' so far as relates to the village of Mount Vernon, and to make said village a separate road district," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' so far as relates to the village of Ilion, in the county of Herkimer," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act declaring Salmon river a public highway," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Riverhead canal and mill company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to establish a ferry across the Hudson river from Sing Sing to Rockland lake and Haverstraw, in the counties of Rockland and Westchester, reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for additional compensation of justices of sessions designated to hold the court of sessions in the county of Erie," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Noah Palmer for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of Noah Palmer," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend part 1st, chapter 13, title 2d, article 2d, section 15th of the Revised Statutes, in relation to assessments and taxation of real estate," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act to incorporate the penny institution for savings in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. R. J. Baldwin, from the committee on State prisons, to which was referred that portion of the Governor's message relating to prisons, reported, and asked and obtained leave to bring in a bill entitled "An act appropriating money for the Clinton State prison," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Benedict presented the annual report of the commissioners of the State lunatic asylum, which was read and referred to the committee on state charitable institutions.

Mr. Benedict offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That 1,000 extra copies of the annual report of the managers of the State Lunatic asylum, be printed for the use of the managers thereof.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Benedict, in behalf of the managers of the State Lunatic asylum, at the city of Utica, tendered a respectful invitation to such of the members of the Legislature as could make it convenient to visit the institution, and ascertain from a personal examination of its situation, the amount necessary to appropriate for its benefit the present year.

Mr. Speaker presented the annual report of the Commissioners of Emigration, which was read and referred to the committee on ways and means.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That — numbers of the report of the Commissioners of Emigration be printed for the use of the House, and — for the use of the Commissioners of Emigration.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the annual report of the Manhattan Savings Institution, which was read and referred to the committee on banks.

The Senate bill, entitled "An act for the relief of the Lockport and Cambria plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clark	Mat. Hutchinson	Nelson	Suffern
Aitken	Clinton	Joy	Odell	Thorn
Railey	Cook	Kinney	Palmer	Townsend
E. J. Baldwin	Collins	Kirkland	Peters	Underwood
S. Baldwin	Conkling	Lee	Richardson	Ward
Barrow	Cost	Legg	Robertson	Weed
Benedict	Cushman	Leigh	Savage	Whipple
Bennett	A. A. Dunlop	Littlefield	Searing	Whitman
Bergen	R. Dunlap	Littlejohn	Sessions	Wilder
Boardman	Edwards	Lozier	Sharp	D. Willis
Bostwick	Gleason	Mallory	Sill	J. E. Willis

Boyd	Hall	McGraw	Smalley	Williams
Brust	Hinkley	McMurray	Speaker	Winne
Burnett	Hollenbeck	Monfort	Sterling	D. P. Wood
Case	Howell	Munroe		78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill, entitled "An act to amend the charter of the Protestant Episcopal Church Missionary society, for seamen, in the city and port of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Monfort	Smalley
Aitken	Conkling	Hull	Munroe	Speaker
Beckus	Crocherson	Mat. Hutchinson	Nelson	Sterling
B. J. Baldwin	Cumming	Mos. Hutchinson	Noble	Thorn
S. Baldwin	Cushman	Joy	Odell	Townsend
Barrow	A. A. Dunlop	Kinney	Palmer	Underwood
Barton	R. Dunlap	Kirkland	Peters	Weed
Benedict	Edwards	Lee	Randall	Whitman
Bergen	Ferguson	Leigh	Robertson	D. Willis
Boardman	Gibbs	Littlejohn	Savage	J. E. Willis
Boyd	Gleason	Lozier	Searing	Williams
Case	Gott	McGraw	Sessions	Winne
Chesebro'	Hall	McMurray	Sheeley	D. P. Wood
Clinton	Hinkley	G. Miller	Sill	W. H. Wood 70

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. Clarke asked and obtained leave to introduce a bill entitled "An act to amend an act, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the city of New-York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the stockholders of the Union Springs plank road company, praying for an act to amend their charter, reported, and asked and obtained leave to introduce a bill, entitled "An act to amend the charter of the Union Springs plank road company in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of citizens of Franklin co., praying for an act making an appropriation for the purpose of building a

bridge, reported, and asked and obtained leave to introduce a bill entitled "An act making an appropriation for the purpose of building a bridge across St. Regis river, at the village of Hogansburgh, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to confirm an assessment of fifty per cent on the amount subscribed to the capital stock of the Genesee river plank road company, for the payment of the debts of said company, and for other purposes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The bill, entitled "An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess, in the penitentiary of the county of Albany, and to prescribe the punishment for certain offences," came up for its third reading.

Mr. Lozier moved to recommit said bill to the committee on State prisons for amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier; and it was determined in the affirmative.

The bill entitled "An act to repeal the highway law in the county of Richmond," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hall	S. F. Miller	Thorn
Atken	Clinton	Harris	Monfort,	Townsend
Bailey	Cook	Hinckley	Munroe	Underwood
Baker	Collins	Hollenbeck	Nelson	Ward
R. J. Baldwin	Conkling	Howell	Noble	Weed
S. Baldwin	Coit	Hull	Odell	Whipple
Barrow	Crocheron	Mat. Hutchinson	Palmer	Whitman
Barton	Cumming	Mos. Hutchinson	Peters	Wilson
Benedict	Cushman	Joy	Richardson	Wilder
Bennett	Dawson	Lee	Robertson	D. Willis
Bergan	A. A. Dunlop	Legg	Savage	J. E. Willis
Boardman	Edwards	Leigh	Sessions	Williams
Bestwick	Ferguson	Littlefield	Sharp	Winne
Boyd	Germain	Littlejohn	Speaker	D. P. Wood.
Brust	Gibbs	Lozier	Sterling	J. S. Wood
Burnett	Gleason	Mallory	Suffern	W. H. Wood
Case	Gott	McGraw		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorise the city of Oswego to take stock in railroads, and to sell its bonds to provide for the payment thereof,' passed May 27, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chasebro	Gott	Mallory	Sterling
Atkin	Clinton	Hall	McGraw	Suffern
Bailey	Cook	Harris	S. F. Miller	Thorn
Baker	Collins	Hinkley	Monfort	Townsend
R. J. Baldwin	Conkling	Hollenbeck	Munroe	Underwood
S. Baldwin	Cost	Howell	Nelson	Ward
Barrow	Crocheron	Hull	Noble	Weed
Barton	Cumming	Mat. Hutchinson	Odell	Whipple
Benedict	Cushman	Mos. Hutchinson	Palmer	Whitman
Bennett	Dawson	Joy	Peters	Wilder
Bergen	A. A. Dunlop	Lee	Richardson	J. E. Willis
Boardman	Edwards	Legg	Robertson	Williams
Bostwick	Ferguson	Leigh	Savage	Winne
Boyd	Germain	Littlefield	Sessions	D. P. Wood
Brust	Gibbs	Littlejohn	Sharp	J. S. Wood
Burnett	Gleason	Lozier	Speaker	W. H. Wood
Case				

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Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act for the relief of Richard Niles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend an act authorising the laying of railroad tracks in Division avenue, county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the following resolution :

Resolved, (if the Assembly concur,) That 15,000 extra copies of the report of the State Engineer and Surveyor on canals, be printed for the use of the Legislature, and 2,000 for the use of the State Engineer and Surveyor.

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act to provide for the improvement of the Erie, Oswego, and Cayuga and Seneca canals."

Mr. Baker, from the committee on privileges and elections, to which was referred the petition of Patrick H. Maguire, claiming right to the seat from the third Assembly district of New-York, occupied by Daniel W. Clark, reported in writing and by resolution, in favor of the prayer of the petitioner.

(See Ass. Doc. No. 51.)

Mr. Collins moved to lay the report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Collins, and it was determined in the negative.

Mr. Speaker stated the question to be on the first resolution reported by the committee, which was in the words following :

Resolved, That D. W. Clark is not entitled to a seat in this House as member elect from the third election district of New-York.

Mr. Clinton moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the affirmative.

Mr. Barrow moved the consideration of the aforesaid report, &c., be made the special order for Friday, 17th inst., immediately after the reading of the Journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Barrow, and it was determined in the affirmative, two-thirds voting in favor thereof.

On motion of Mr. Peters,

At half-past eleven o'clock a. m., the House adjourned.

THURSDAY, FEBRUARY 16, 1854.

The House met pursuant to adjournment.

Mr. Speaker directed a call of the House ; fifty-five members responded to the call of their names, viz :

Atken	Clinton	Gott	Mallory	Underwood
Baker	Cook	Graham	McMurray	Ward
Beckus	Conkling	Harris	Mitchell	Ware
B. J. Baldwin	Crocheron	Holdridge	Morris	Weed
Barton	Cumming	Howell	Munroe	Whipple
Benedict	Dawson	Hull	Palmer	Whitman
Bergen	Dewey	Mat. Hutchinson	Peters	D. Willis
Brust	A. A. Dunlop	Mos. Hutchinson	Richardson	J. E. Willis
Burgess	Edwards	Kinney	Speaker	Winne
Case	Fiero	Lee	Suffern	D. P. Wood
Clark	Freeman	Littlefield	Thorn	J. S. Wood 55

There being no quorum present,

At eight o'clock, p. m., Mr. Speaker, with the assent of the House, declared it adjourned.

FRIDAY, FEBRUARY 17, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The minutes of Friday, the 16th inst., and of yesterday, were read and approved.

Mr. Speaker announced the special order, it being the consideration of the resolutions relating to the contested seat from the 2d district of New-York city.

On motion of Mr. Ward, and by unanimous consent, The special order was postponed until 12 o'clock, M.

Mr. Harris presented the petition of numerous inhabitants of Sherburne, for a law authorising said town to take stock in the Utica and Binghamton railroad, which was read and referred to the committee on railroads.

Mr. Cook presented the petition of inhabitants of the village of Le Roy, for the repeal of certain acts relating to their village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Bergen presented the petition of the Brooklyn and Gowanus toll bridge company, to amend their charter, which was read and referred to the committee on roads and bridges.

Mr. Whitman presented the petition of inhabitants of Smithfield, Madison county, to change the location of a road in that town, which was read and referred to the committee on roads and bridges.

Mr. Hull presented 3 several memorials of Dr. Zimmerman, in favor of a law promoting medical science, which were read and committed to the committee of the whole.

Mr. Collins presented 3 several petitions of inhabitants of Lewis county, for the erection of a bridge across Black river, which were read and referred to the committee on canals.

Mr. Angle presented the petition of 156 women of Livingston county, for a prohibitory liquor law, which was read and referred to the select committee on that subject.

Mr. Peters presented the petition of citizens of Darien, for a law compelling the railroad to fence their track, which was read and referred to the committee on railroads.

Mr. Mallory presented the remonstrance of 51 citizens of Ontario county, against the incorporation of companies for inland navigation, which was read and committed to the committee of the whole.

Mr. Mallory presented the petition of the President of the Macedon and Bristol plank road company, for authority to pay their debts, which was read and referred to the committee on the judiciary.

Mr. Mallory presented the petition of members of the Ontario and Livingston mutual insurance company, for an extension of their charter, which was read and referred to the committee on insurance companies.

Mr. Stephens presented 3 several petitions of citizens of Allegany county, for a new county from parts of Steuben and Allegany, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Benedict presented the petition of sundry inhabitants of the city of Utica, for a law prohibiting the running of canal boats on the Sabbath, which was read and referred to the committee on canals.

Mr. Benedict presented the petition of sundry inhabitants of the town of Ohio, Herkimer county, to confirm the official acts of Anthony Abeel, a commissioner of highway of said town, which was read and referred to the committee on the judiciary.

Mr. Baker presented the petition of Levi S. Baskins, a deaf mute, for an appropriation, &c., which was read and referred to the committee on ways and means.

Mr. Baker presented the petition of inhabitants of Jefferson co. to allow the Sacketts Harbor and Saratoga railroad company to change its route, which was read and referred to the committee on railroads.

Mr. Dewey presented the petition of citizens of Jefferson county, to allow Sacketts Harbor and Saratoga railroad company, to change its route, which was read and referred to the committee on railroads.

Mr. Dewey presented the petition of citizens of Jefferson county, to refrain illegal currency, which was read and referred to the committee on banks.

Mr. Collins presented the petition of citizens of Lowville and Carthage plank road company, to discontinue that portion of their road lying in Jefferson county, which was read and referred to the committee on roads and bridges.

Mr. Whitman presented the remonstrance of P. C. Randall and others, against an act to raise money in the town of Lenox, Madison county, for road purposes, which was read and committed to the committee of the whole.

Mr. Williams presented the petition of citizens of Steuben co. to authorise the Bath and Hammondsport plank road company, to abandon a part of their road, which was read and referred to the committee on roads and bridges.

Mr. Bergen presented the memorial of the common council of the city of Brooklyn, relating to encroachments on the harbor of the port of New-York, which was read and referred to the committee on commerce and navigation.

Mr. G. Miller presented the petition of 39 inhabitants of Suffolk co., for a navigable canal feeder from Belfast to Wellsville, which was read and referred to the committee on canals.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to enable the Myrtle Avenue and Jamaica plank road company to borrow money and locate toll gates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act relating to county superintendents of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to incorporate the Elmira savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows, to wit:

"An act to erect the town of Horse Heads from the town of Elmira, in the county of Chemung."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to incorporate the Saratoga lake bridge company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Gott	Mather	Thorn
Aitken	Clinton	Hall	McMurray	Underwood
Bailey	Cook	Harris	Mitchell	Ward
Baker	Collins	Holdridge	Morris	Ware
Backus	Conkling	Howell	Munroe	Weed
Barrow	Cost	Hull	Palmer	Whipple
Barton	Crocheron	Mat. Hutchinson	Richardson	Whitman
Beers	Cumming	Mos. Hutchinson	Rose	Wilder
Benedict	Dewey	Kinney	Savage	D. Willis
Bennett	A. A. Dunlop	Kirkland	Scott	J. E. Willis
Bergen	R. Dunlap	Lee	Speaker	Winne
Boyd	Edwards	Littlefield	Stephens	D. P. Wood
Brust	Fiero	Lozier	Sufern	J. S. Wood
Burnett	Freeman	Mallory		

68

For the negative,

Peters

1

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act amending the charter of the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Graham	Mather	Thorn
Aiken	Clark	Hall	McMurray	Townsend
Bailey	Clinton	Harris	G. Miller	Underwood
Backus	Cook	Holdridge	Mitchell	Ward
Barrow	Conkling	Howell	Morris	Ware
Barton	Crocheron	Hull	Munroe	Weed
Beers	Cumming	Mat. Hutchinson	Palmer	Whipple
Benedict	Dewey	Mos. Hutchinson	Richardson	Whitman
Bennett	A. A. Dunlap	Kinney	Rose	Wilder
Bergen	R. Dunlap	Kirkland	Savage	D. Willis
Boyd	Edwards	Lee	Scott	Williams
Brust	Fiero	Littlefield	Speaker	Winne
Burgess	Freeman	Lozier	Stephens	J. S. Wood
Burnett	Gott	Mallory	Suffern	W. H. Wood 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill, entitled "An act to enable the Newark lime and cement manufacturing company, to purchase, hold and convey lands and real estate in this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clark	Gott	Mather	Thorne
Aitkin	Clinton	Graham	Mitchell	Townsend
Bailey	Cook	Hall	Morris	Underwood
Baker	Collins	Harris	Munroe	Ward
Backus	Conkling	Howell	Palmer	Ware
Barrow	Crocheron	Mat. Hutchinson	Peters	Weed
Beers	Cumming	Mos. Hutchinson	Richardson	Whitman
Benedict	Dawson	Kinney	Rose	Wilder
Bennett	Dewey	Kirkland	Savage	D. Willis
Bergen	A. A. Dunlap	Lee	Scott	Williams
Boyd	R. Dunlap	Littlefield	Speaker	Winne
Brust	Edwards	Lozier	Stephens	D. P. Wood
Burnett	Fiero	Mallory	Suffern	J. S. Wood
Case	Freeman			

67

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, it being the consideration of the resolutions relating to the contested seat from the third district of New-York county.

Mr. Clark moved the postponement thereof until Tuesday of next week, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clark, and it was determined in the negative, two-thirds present not voting in favor thereof.

On motion of Mr. D. P. Wood,

The consideration of the aforesaid matter was postponed until to-morrow, immediately after the reading of the journal, two-thirds present voting in favor thereof.

The bill, entitled "An act changing the names of James Loveland Putnam, and Caroline Elizabeth Putnam, to James Loveland Jenks, and Caroline Elizabeth Jenks," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Graham	Mather	Stephens
Aitken	Case	Hall	McMurray	Suffern
Bailey	Clark	Harris	G. Miller	Townsend
Baker	Clinton	Howell	Mitchell	Underwood
Backus	Conkling	Hull	Morris	Ware
Barrow	Cumming	Mat. Hutchinson	Manroe	Weed
Barton	Dawson	Mo. Hutchinson	Palmer	Whitman
Beers	Dewey	Kinney	Peters	Wilder
Benedict	A. A. Dunlop	Kirkland	Richardson	D. Willis
Bennett	R. Dunlap	Lee	Rose	Williams
Bergen	Edwards	Littlefield	Savage	Winne
Boyd	Fiero	Lozier	Scott	D. P. Wood
Brust	Freeman	Malbory	Speaker	J. S. Wood 65

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

The bill entitled "An act to incorporate the Oneida plank road company," coming up for a third reading,

On motion of Mr. Peters,

Said bill was recommitted to the committee of the whole, and to retain its former place on the general orders.

The bill entitled "An act authorising the surrogate of the county of Genesee, to issue letters of administration upon the estate of John Blacksmith, deceased," coming up for its third reading,

On motion of Mr. Peters,

Said bill was recommitted to the committee of the whole, and retain its former place on general orders.

The bill entitled "An act to amend an act entitled 'An act to provide for taking acknowledgement of deeds and other written instruments by persons residing out of the State of New-York,' passed April 7, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Case	Hall	McMurray	Townsend
Aitken	Clinton	Harris	Mitchell	Underwood
Bailey	Cook	Holdridge	Morris	Wade
Baker	Conkling	Howell	Munroe	Ward
Backus	Cumming	Hull	Palmer	Ware
Barrow	Dawson	Mat. Hutchinson	Peters	Weed
Barton	Dewey	Mos. Hutchinson	Richardson	Whipple
Beers	A. A. Dunlop	Kinney	Rose	Whitman
Benedict	R. Dunlap	Kirkland	Savage	Wilder
Bennett	Edwards	Lee	Scott	D. Willis
Bergen	Fiero	Littlefield	Speaker	Williams
Boyd	Freeman	Lozier	Stephens	Winne
Brust	Gott	Martin	Suffern	D. P. Wood
Burnett	Graham	Mather	Thorn	J. S. Wood 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill, entitled "An act for the relief of the Poughkeepsie and Salt Point plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	Mather	Thorn
Aitken	Cook	Hall	McMurray	Townsend
Bailey	Collins	Harris	Mitchell	Underwood
Baker	Conkling	Holdridge	Morris	Ward
Barrow	Crocheron	Howell	Munroe	Ware
Barton	Cumming	Hull	Palmer	Weed
Beers	Dawson	Mat. Hutchinson	Peters	Whipple
Benedict	Dewey	Mos. Hutchinson	Richardson	Whitman
Bennett	A. A. Dunlop	Kinney	Rose	Wilder
Bergen	R. Dunlap	Kirkland	Savage	D. Willis
Boyd	Edwards	Lee	Scott	Williams
Brust	Fiero	Littlefield	Speaker	Winne
Burgess	Freeman	Lozier	Stephens	D. P. Wood
Burnett	Gott	Mallory	Suffern	J. S. Wood
Case				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to facilitate the developement of lead mines in the town of Rossie, in the county of St. Lawrence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a constitutional majority not voting in favor thereof, as follows :

{ AYES 33 }
{ NOES 32 }

Those who voted in the affirmative are,

Bailey	Clark	Edwards	G. Miller	Ware
Baker	Clinton	Fiero	Mitchell	Weed
Backus	Collins	Gott	Morris	Whitman
Barrow	Conkling	Hall	Scott	Wilder
Bennett	Cumming	Mat. Hutchinson	Speaker	Williams
Bergen	A. A. Dunlop	Mos. Hutchinson	Ward	Winne
Case	R. Dunlap	Kirkland		

33

Those who voted in the negative are,

Angle	Cook	Hull	Mather	Suffern
Aitken	Dawson	Kinney	McMurray	Thorn
Barton	Dewey	Lee	Munroe	Townsend
Beers	Freeman	Littlefield	Palmer	Whipple
Benedict	Graham	Lozier	Peters	D. P. Wood
Brust	Harris	Mallory	Rose	J. S. Wood
Burnett	Heldridge			

32

Mr. Lezier moved a reconsideration of the vote just taken upon said bill.

On motion of Mr. Ward,

Said motion was laid upon the table.

Mr. Clinton gave notice that he would, at an early day, ask leave to introduce a bill to provide a loan for the enlargement and completion of the canals, as authorised by the amendment to the Constitution, adopted by popular vote on the 15th day of Feb'y instant.

Mr. Moseley Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of Auburn, Cayuga county.

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill to regulate the delivery of merchandise and other articles at or upon the wharves, piers and slips of the city and county of New-York, and of the county of Kings.

Mr. Rose gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act to amend an act to incorporate the village of Perry, passed July 5, 1853."

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill for the further protection of emigrant passengers arriving at the port of and city of New-York.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill authorising the several towns through

which the Utica and Binghamton railroad runs, to subscribe to the capital stock of said company.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill in relation to dogs in the city of Utica.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill in relation to the appointment of commissioners of deeds in the city of Utica.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill authorising school districts to purchase Knapp & Rightmyer's practical school copy books, for the use of their several districts.

Mr. Barton gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act for the improvement of roads and bridges."

Mr. Collins gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Lowville and Carthage plank road company to discontinue that portion of their road lying in Jefferson county.

Mr. Bergen gave notice that he would, at an early day, move to suspend the 4th rule for the purpose of moving that Assembly bill No. 150, entitled "An act to amend 'An act to incorporate the mariners' savings institution,'" be referred to a select committee, with power to report complete.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill to prohibit the sale of merchandise by non-residents in the State of New-York.

Mr. Backus gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the city of Brooklyn, relative to the office of fire wardens.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill for allowing the continued use of copartnership names in certain cases.

Mr. Case gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act to protect sidewalks along highways," passed May 10th, 1836.

Mr. Angel gave notice that he would, at an early day, ask leave to introduce a bill to provide for the designation of a newspaper in each of the judicial districts of the State, for the publication of legal and other notices.

Mr. J. S. Wood gave notice that he would, at an early day, ask leave to introduce an act authorising the treasurer to pay to the trustees of the New-York conference seminary, two thousand dollars on an order from the Comptroller.

Mr. J. S. Wood gave notice that he would, at an early day, ask leave to introduce an act to change the name of George Mulford to George Gardner.

Mr. Fiero asked leave of absence for Mr. Robertson until Monday next.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the negative.

Mr. Harris asked leave of absence for Mr. McGraw for one week.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the negative.

Mr. R. Dunlap asked leave of absence for Mr. Wilson until Wednesday next, on account of illness in his family.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the affirmative.

Mr. Cook asked leave of absence for Mr. S. F. Miller for two days.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the negative.

Mr. Bergen asked leave of absence for Mr. Preston until Tuesday next.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the negative.

Mr. Whitman asked leave of absence for Mr. White for one week, on account of his illness.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the affirmative.

Mr. Moseley Hutchinson asked leave of absence for Mr. Gibbs until Tuesday.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the affirmative.

Mr. Conkling asked leave of absence for Mr. Mills for three days, on account of illness in his family.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the affirmative.

Mr. Rose asked leave of absence for Mr. Jenkins for one week, on account of his illness.

Mr. Speaker put the question whether the House would agree to grant such leave, and it was determined in the affirmative.

Mr. Backus gave notice that he would, at an early day, ask leave to introduce a bill to amend the act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn, passed April 16, 1852.

Mr. Lozier gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of North Dansville, (on account of sickness of the collector.)

Mr. Angle gave notice that he would, at an early day, ask leave to introduce a bill to provide for the appointment of a commissioner to revise the charter of the city of Rochester.

Mr. Speaker presented a communication from Susan B. Anthony, inviting the members of this House to attend a woman's rights meeting, to be held at Association Hall in this city, this p. m., at 7½ o'clock.

In pursuance of previous notice, Mr. Dawson asked and obtained leave to introduce a bill entitled "An act to repeal an act en-

itled 'An act to amend an act entitled 'An act providing for the registering of births, marriages and deaths,' passed April 2, 1853,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Harris asked and obtained leave to introduce a bill entitled "An act to authorise the town of Sherburne to borrow money, to aid in the construction of a railroad through said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Freeman asked and obtained leave to introduce a bill entitled "An act in relation to excise moneys in the county of Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes, relative to religious corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to incorporate the Half Dime Chelsea savings institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act in relation to the assessment of real estate in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Suffern asked and obtained leave to introduce a bill entitled "An act to legalise the annual election for village officers held in the village of Piermont, Rockland co., on the first Tuesday of March, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill, entitled "An act to incorporate the merchants' and clerks' library association of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Case asked and obtained leave to introduce a bill entitled "An act to amend section forty-

seven, of an act to authorise the formation of railroad corporations, and to regulate the same, passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act in respect to the running of locomotives through cities and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Lozier,

Resolved, That afternoon sessions of this House be dispersed with, until the select committee, to which was referred the bill, entitled "An act for the suppression of intemperance," shall have reported thereon.

On motion of Mr. Backus,

Resolved, That the bill received from the Senate, to change the name of the Fulton insurance company, be referred to the committee on insurance companies.

On motion of Mr. Suffern,

Resolved, That the Attorney General be requested to examine and report to this House, whether, in his opinion, the act authorising additional pay to the volunteers and militia called into service by the State authority, passed October 21, 1814, and also the act for the relief of certain volunteers and militia called into service for the defence of the frontiers of the State, in the late war, and for other purposes, passed April 21, 1818, are still of force.

Mr. Boyd called up, for the consideration of the House, the resolution heretofore offered by Mr. Savage, in the words following, to wit:

Resolved, That the receiver of taxes of the city of New-York, report to this House, immediately, the amount of fees or per centage charged on taxes for which levies are or have been made upon personal property, and under what law he or the officers making the levy charges such fees, and the name or names of the officer or officers employed by him to make levies on personal property for taxes; also, whether he is in receipt of a larger salary than provided for in the act of the Legislature creating the office of receiver of taxes in the city of New-York, and how much larger salary; and, also, whether he receives any portion of the fees or per centage for which levies are made, or any pecuniary consideration arising therefrom, or any other way.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Edwards,

Resolved, That the bill for the relief of the Canaan and Union village turnpike road company, be placed where it originally stood on the general orders.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on ways and means be discharged from the further consideration of the report of the Commissioners of Emigration, and that the same be referred to a select committee.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker announced as such select committee, Messrs. Peters, Cumming, Case, Collins and Wilson.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to enlarge the powers of boards of supervisors."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Edwards, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. D. P. Wood moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to a select committee.

Debate was had thereon, when,

On motion of Mr. Bergen, the time for adjournment was extended five minutes.

Pending debate, on Mr. D. P. Wood's motion, the hour for adjournment having arrived,

At ten minutes to two o'clock p. m., Mr. Speaker declared the House adjourned.

SATURDAY, FEBRUARY 18, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Palmer.

The minutes of yesterday were read and approved.

Mr. Speaker announced the special order, it being the consideration of the report of the committee on privileges and elections, to which had been referred the contested seat from the 3rd Assembly district in the city of New-York, the pending question being upon the following resolutions reported by the committee :

Resolved, That Daniel W. Clarke, who now holds the certificate of election and occupies the seat as member of Assembly, from the 3rd Assembly district in the city and county of New-York, is not entitled to the same.

Resolved, That Patrick McGuire, the contestant for the seat as member of Assembly, from the 3rd Assembly district in the city and county of New-York, has established his title thereto, and that he is hereby declared the member elect from said district,

and that the oath of office be duly administered to him upon his presenting himself for that purpose.

Mr. Mallory moved to amend the said resolutions by striking out all after the word "Resolved," in the first resolution, and inserting as follows :

That neither the sitting member nor the contestant from the 3rd Assembly district in the city and county of New-York, is entitled to the seat as member from that district.

On motion of Mr. Mallory,

The time for the adjournment of this day's session was extended until the subject under consideration should be disposed of.

Mr. Lozier offered the following amendment to the amendment of Mr. Mallory. Strike out all after "Resolved," and insert as follows :

That Phillip J. Downing is entitled to a seat as member of Assembly, from the 3rd Assembly district in the city and county of New-York.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mallory, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the 1st resolution, declaring that Daniel W. Clarke is not entitled to the seat, and it was determined in the affirmative, as follows :

Mr. J. E. Willis asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse, and it was determined in the affirmative.

Mr. Richards asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse, and it was determined in the negative.

{ AYES 78 }
{ NOES 09 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Clinton	Gott	Mallory	Stephens
Aitkin	Cook	Graham	McMurray	Suffern
Bailey	Conkling	Harpur	G. Miller	Thorn
Baker	Crocheron	Hinkley	Mitchell	Townsend
Backus	Cumming	Holdridge	Morris	Underwood
E. J. Baldwin	Cushman	Hull	Munroe	Ward
Barrow	Dawson	Mat. Hutchinson	Palmer	Weed
Baucus	Dewey	Mos. Hutchinson	Richards	Whipple
Beers	A. A. Dunlop	Joy	Richardson	Whitman
Bennett	B. Dunlap	Kinney	Robertson	Wilder
Bergen	Edwards	Kirkland	Rose	D. Willis
Boardman	Fiero	Lee	Savage	Williams
Beyd	Freeman	Leigh	Scott	Winne

Brust	Gibbs	Littlefield	Searing	D. P. Wood
Burnett	Gleason	Littlejohn	Speaker	J. S. Wood
Case	Gorham	Lozier		

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Those who voted in the negative are,

Burgess	Hall	Mather	Peters	Ware
Collins	Harris	S. F. Miller	Randall	

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Mr. Speaker put the question whether the House would agree to the 2d resolution, declaring that Patrick McGuire is entitled to the seat, and it was determined in the affirmative, as follows :

{ AYES 65 }
{ NOES 22 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aiken	Burnett	Gibbs	Littlefield	Suffern
Bailey	Case	Gorham	Littlejohn	Thorn
Baker	Clinton	Gott	Lozier	Underwood
Beckus	Cook	Harpur	G. Miller	Ward
R. J. Baldwin	Conkling	Hinkley	Mitchell	Wood
Barrow	Crocheron	Holdridge	Morris	Whipple
Baucus	Cumming	Hull	Palmer	Whitman
Beers	Cushman	Mat. Hutchinson	Richardson	Wilder
Bennett	Dawson	Mos. Hutchinson	Robertson	D. Willis
Bergen	Dewey	Joy	Scott	Williams
Boardman	A. A. Dunlap	Klaney	Searing	Wine
Boyd	R. Dunlap	Kirkland	Speaker	D. P. Wood
Brust	Edwards	Lee	Stephens	J. S. Wood

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Those who voted in the negative are,

Angle	Gleason	Mallory	Munroe	Rose
Burgess	Graham	Mather	Peters	Savage
Collins	Hall	McMurray	Randall	Townsend
Fiero	Harris	S. F. Miller	Richards	Ware
Freeman	Leigh			

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Mr. Speaker presented the annual report of the Auditor, of the tolls, trade and tonnage of the New-York State canals, for the year of navigation for 1853, which was read and referred to the committee on canals.

Mr. Speaker presented a communication from the Regents of the University, relative to printing certain meteorological observations.

Mr. D. P. Wood moved that 1,000 extra copies of the document referred to in the communication of the Regents, be printed.

Ordered, That said motion be referred to the committee on public printing.

Ordered, That the communication of the Regents be referred to the committee on colleges, academies and common schools.

Mr. Bergen presented the annual report of the Williamsburgh savings bank, which was read and referred to the committee on banks.

Mr. Speaker presented the annual report of the Monroe county savings institution, which was read and referred to the committee on banks.

Mr. Speaker presented the annual report of the Commissary General for 1853, which was read and referred to the committee on militia and public defence.

Mr. Speaker presented a communication from the Auditor, in answer to a resolution from this House, requesting him to furnish it with information of the amount of money paid for commutation of bridges on the eastern division of the Erie canal, since the 1st of January, 1853, &c., passed on the 4th inst.

Mr. Peters moved that the aforesaid communication be laid on the table and printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

On motion of Mr. Moseley Hutchinson,

Mr. Monfort obtained leave of absence for one week.

Mr. Conkling moved that when this House adjourn to-day, it adjourn to meet on Monday next at three o'clock, p. m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. McGuire then presented himself as the member elect from the third Assembly district in the city and county of New-York, was sworn by Mr. Speaker, and took his seat.

At a quarter past two o'clock, Mr. Speaker declared the House adjourned.

MONDAY FEBRUARY 20, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The minutes of Saturday were read and approved.

Mr. Moseley Hutchinson presented the petition of sundry inhabitants of Fleming, Cayuga county, for a law regulating tolls on plank roads, which was read and referred to the committee on roads and bridges.

Mr. Randall presented the petition of Mathew Starring, for damages occasioned by waters from the Chemung canal, which was read and referred to the committee on claims.

Mr. Randall presented the petition of inhabitants of Stenben co., for a new county, with county seat at or near the head of Seneca lake, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Randall presented 7 remonstrances against dividing the county of Chemung, which were read and referred to the committee on the erection and division of towns and counties.

Mr. R. J. Baldwin presented 2 petitions of G. W. Sands and others, citizens of Oxford, Chenango county, for the passage of a law authorising that town to subscribe to the capital stock of the Binghamton and Utica railroad, which were read and referred to the committee on railroads.

Mr. R. J. Baldwin presented the petition of citizens of Chemung county, for a separation of the Superintendent of Common Schools from that of Secretary of State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Harris presented the petition of B. S. Walcott and others, for such a law as will protect our manufacturers and regulate the tare on raw materials, which was read and referred to the committee on trade and manufactures.

Mr. Benedict presented 2 petitions of inhabitants of Augusta, Oneida county, for a law authorising said town to subscribe to the capital stock of the Utica and Binghamton railroad, which were read and referred to the committee on railroads.

Mr. Cost presented the petition of inhabitants of Ontario county, for a law to prohibit judges of the Supreme court from engaging in other business during their term of office, which was read and referred to the committee on the judiciary.

Mr. G. Miller presented the petition of 148 inhabitants of Suffolk county, for a law restraining encroachments upon the harbor of New-York, which was read and referred to the committee on commerce and navigation.

Mr. Williams presented 7 several remonstrances of citizens of Steuben county, against confirming the acts of commissioners in locating the public buildings at Corning, &c., which were read and referred to the committee on the erection and division of towns and counties.

Mr. Gleason presented the petition of Elias P. Gillman, for relief, which was read and referred to the committee on claims.

Mr. Conkling presented 2 petitions of citizens of New-York, in favor of the bill "To promote medical science," which were read and committed to the committee of the whole.

Mr. Gibbs presented 10 several remonstrances of inhabitants of Springwater, against dividing the county of Livingston, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Cheesebro presented the petition of citizens of Albany, to elect city officers by the people, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Gibbs presented the petition of the members of the Ontario and Livingston insurance company to amend their charter, which was read and referred to the committee on the judiciary.

Mr. Gibbs presented the petition of Geo. M. Ouyler and others, for a law prohibiting judges of the Supreme court to engage in other business during their term of office, which was read and referred to the committee on the judiciary.

Mr. Hull presented 5 several remonstrances of citizens of Hamilton and Fulton counties, against any change of the route of the Sacketts Harbor and Saratoga railroad, which were read and referred to the committee on railroads.

Mr. Benedict presented the petition of Joseph G. Case for relief, which was read and referred to the committee on claims.

Mr. J. E. Willis presented the petition of sundry inhabitants of the county of Jefferson, for changing the route of the Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. R. J. Baldwin presented the petition of Henry R. Tracy and others, for an amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. R. J. Baldwin presented the petition of citizens of Oxford, Chenango county, for aid to the New-York State teachers association, which was read and referred to the committee on ways and means.

Mr. Germain presented the remonstrance of citizens of Erie co. against the passage of a law incorporating companies for the navigation of the lakes, rivers and canals of this State, which was read and committed to the committee of the whole.

Mr. Germain presented the remonstrance of property holders in the city of Buffalo, against proposed amendments to the charter of said city, which was read and committed to the committee of the whole.

Mr. Fiero presented the petition of 140 tax payers of the village of Athens, Greene county, for a law to extend to them a well regulated police, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Case presented the petition of David Tomlinson for relief, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Clinton presented the petition of sundry inhabitants of St. Lawrence county, relative to the United States mutual insurance company, which was read and referred to the committee on insurance companies.

Mr. Fiero presented the petition of 130 voters of the town of Jewett, Greene county, for the early passage of a prohibitory liquor law, which was read and referred to the select committee, when on the bill on that subject.

Mr. Whitman presented the petition of Washington Stickney for relief, which was read and referred to the committee on claims.

Mr. Lozier presented the petition of G. W. & Joseph Totten, for canal damage, which was read and referred to the committee on claims.

Mr. Lozier presented the petition of Hugh McNair for relief, which was read and referred to the committee on claims.

Mr. Scott presented the petition of the trustees of Ovid academy, for aid to said institution, which was read and referred to the committee on colleges, academies and common schools.

Mr. Gleason presented the petition of John K. Page and others, for the passage of a law regulating the sale of cotton in bales, which was read and referred to the committee on trade and manufacture.

Mr. J. E. Willis presented the petition of J. S. Conkling and others, citizens of Antwerp, for an act declaring the village of Antwerp a valid corporation, to enlarge its powers and to make said village a separate road district, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Cushman presented the petition of citizens of Orange co., for a navigable feeder to the Genesee valley canal, which was read and referred to the committee on canals.

Mr. Lozier presented 7 several petitions for the payment of damages to Wm. Stahl on account of failure of water in the Genesee river, to run his mill, the same being taken for the use of the Genesee valley canal, which were read and referred to the committee on claims.

Mr. Bergen presented the memorial of E. D. Culver of Williamsburgh, in reference to prosecutions for excise penalties, which was read and referred to the committee on the judiciary.

Mr. R. Dunlap presented the petition of sundry citizens of Middleport, Niagara county, for a bridge across the canal at that place, which was read and referred to the committee on canals.

Mr. Edwards presented the petition of Daniel Gardner for reference of his claims on the State to the Attorney General, Comptroller and Treasurer, to examine and decide the same, which was read and referred to the committee on the judiciary.

Mr. Williams presented the petition of sundry inhabitants of Steuben county, praying to have the affairs of Farmers' bank of Onondaga, investigated, which was read and referred to the committee on banks.

On motion of Mr. Williams,

The committee was empowered, in this case, to send for persons and papers.

Mr. Boardman presented the petition of John T. Carry, jun., and others, citizens and mechanics of Oneida county, for an act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the county of Oneida, which was read and referred to the committee on trade and manufacture.

Mr. Backus presented the petition of Mr. McMahon, for an amendment of the act authorising the incorporation of charitable and literary societies, so as to enable them to borrow money on mortgage, or sell their real estate on the same terms as religious societies, which was read and referred to the committee on charitable and religious societies.

Mr. Bailey presented the petition of Seth Hunt, praying compensation for damages for land washed away by a break in the Chemung canal feeder, one mile below the State dam in Steuben co., which was read and referred to the committee on claims.

Mr. D. P. Wood presented the petition of 5,931 men and women of this State, praying for the granting of just and equal rights to women, accompanied by an address.

Mr. D. P. Wood moved that the same be referred to a select committee of seven.

Mr. Burnett moved to lay said petition upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative, as follows:

{ AYES 84 }
{ NOES 00 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Chesbrough	Harris	S. F. Miller	Sterling
Altken	Clinton	Hinkley	Mitchell	Suffern
Bailey	Cook	Holdridge	Morris	Thorn
Baker	Collins	Howell	Munroe	Townsend
Backus	Conkling	Hull	Nelson	Ward
R. J. Baldwin	Cushman	Mat. Hutchinson	Palmer	Ware
Barrow	Dewey	Mos. Hutchinson	Peters	Weed
Beers	A. A. Dunlop	Kinney	Randall	Whipple
Benedict	B. Dunlap	Kirkland	Richards	Whitman
Bennett	Fiero	Lee	Richardson	D. Willis
Bergen	Freeman	Legg	Rose	J. E. Willis
Boardman	Germain	Leigh	Savage	Williams
Boyd	Gibbs	Littlefield	Scott	Winne
Brust	Gleason	Littlejohn	Searing	D. P. Wood
Burgess	Gorham	Lozier	Sheeley	J. S. Wood
Burnett	Hall	Mather	Speaker	W. H. Wood
Case	Harpur	G. Miller	Stevens	

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Mr. Speaker announced as such committee, Messrs. D. P. Wood, Thorn, Richards, Boardman, Gleason, Munroe and Sharp.

Mr. D. P. Wood, upon his request, was excused from serving on said committee, and Mr. Angle was named in his stead.

Mr. Scott presented the petition of the Seneca and Wayne plank road company, praying for an act to remove a gate on said road, which was read and referred to the committee on roads and bridges.

Mr. Holdridge presented a petition from 120 tax paying inhabitants of the town of Union, to change the name of said town to that of North Hampton, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Dewey presented the petition of 112 citizens of Jefferson co., for a law to regulate the transportation of property, which was read and referred to the committee on the judiciary.

Mr. Searing presented the petition of the trustees of the Cypress Hill cemetery, praying for an amendment to their act of incorporation, which was read and referred to the committee on charitable and religious societies.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to prevent the re-issue of the circulating notes of banks whose charters have expired or shall hereafter expire," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act authorising the business of banking, passed April 18, 1838,' and the acts amending the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to equalise taxation,' passed May 13th, 1846," report that they have had the same under consideration, and have come to the conclusion that no further Legislative action is expedient to be had on the subject, the House having already agreed to a former report of the committee on the same subject, which report was agreed to.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act for the more effectual cleaning of public streets in the city and county of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the Ogdensburgh water works company," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the joint resolution from the Senate, to print 15,000 extra copies of the report of the State Engineer and Surveyor for the use of the Legislature, and 2,000 for the use of the State Engineer and Surveyor, report in favor of the adoption of said resolution, and that the expense of printing said document, as proposed, would be about \$232, which report was agreed to.

Mr. Aitken, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the Elmira savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act to incorporate a savings bank in Elmira," report that they have recommended already the organization of a savings bank at Elmira, and deem the formation of another savings bank at that place unnecessary, and report adversely to the passage of said bill.

On motion of Mr. Peters,

Said bill was laid upon the table.

Mr. D. P. Wood, from the committee on colleges, academies, and common schools, to which was referred the petition of Hobart Free college and Hamilton college, praying for relief, reported, and asked and obtained leave to introduce a bill, entitled "An act for the relief of Hobart Free college, and of Hamilton college," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill, entitled "An act to provide for the punishment of assaults with dangerous weapons," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the town of Ohio, Herkimer co., for the confirmation of the official acts of Anthony Abeel, a commissioner of highways of said town, praying for the passage of an act for the relief of Anthony Abeel, reported, and asked and obtained leave to introduce a bill entitled "An act to confirm the official acts of Anthony Abeel, a commissioner of highways of the town of Ohio, in the county of Herkimer," which was read the first time, and by unanimous consent was also

read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 5, title 3, chapter 7 of the Revised Statutes, entitled 'of proceedings to perpetuate testimony,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title second, chapter fifth, part third, of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to prohibit the plea of usury in certain cases," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law.

Mr. Conkling moved said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the affirmative.

{ AYES 46 }
{ NOES 21 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative, are

Angle	Cook	Gorham	Lozier	Robertson
Aitken	Conkling	Hall	Mather	Scott
Bailey	Cost	Harris	S. F. Miller	Searing
Beckus	Orocheron	Hinkley	Morris	Sharp
Beers	Cushman	Howell	Nelson	Suffern
Bennett	Dewey	Mat. Hutchinson	Palmer	Ward
Boardman	Fiero	Mos. Hutchinson	Peters	Ware
Care	Freeman	Kirkland	Randall	Whipple
Cheebro	German	Littlefield	Richards	W. H. Wood
Clinton				

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Those who voted in the negative are,

Barrow	Harpur	Lee	Munroe	Weed
Bergea	Holdridge	Legg	Rose	Whitman
Boyd	Hull	Littlejohn	Savage	Winne
Collins	Kinney	Mitchell	Thorn	J. S. Wood
R. Dunlap				

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Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the Fishkill and Beekman plank road company, for an act to release them from the construction of a part of their road, reported, and asked and obtained leave to bring in a bill entitled "An act to release the Fishkill and Beekman road company from the construction of a part of their road, and other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the citizens of Herkimer county and the stockholders of the Newport and Mohawk plank road company, for an act to abandon part of their road, reported, and asked and obtained leave to bring in a bill entitled "An act in relation to the Mohawk and Newport plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of Dr. Bowen and others, for the discontinuance of the reservoir on the Erie canal, in the town of Brighton, county of Monroe, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of Ezekiel A. Dumont and others, for compensation as locktender on the Cayuga and Seneca canal, reported that the Canal Commissioners had full powers in such cases, and that no legislative action is required, which report was agreed to.

Mr. Morris, from the committee on banks, to which was referred the bill entitled "An act for the better protection of the holders of negotiable paper," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Robertson, from the select committee to which was referred the bill entitled "An act to amend the charter of the Schoharie Kill bridge company," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. D. P. Wood,

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the committee on the judiciary, to which was referred the petition of the First Methodist Episcopal Society of Adams, Jefferson county, for leave to sell a part of their real

estate, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict, from the committee on banks, to which was referred the petition of sundry inhabitants of Ulster county, in reference to the taxing of bank stock, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict, from the committee on the judiciary, to which was referred the resolution in relation to amending the laws relative to charitable and religious corporations, so as to reduce the trouble and expense attending the application for sale of their real estate by said corporations, reported against the passage of the same, which report was agreed to.

Mr. Benedict, from the committee on the judiciary, to which was referred the petition of the trustees of the first Methodist Episcopal society of Bergen, Genesee county, for leave to sell a part of their real estate, reported adversely to the prayers of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Wm. B. Kirk and Christine Harroun, administrators of the estate of Hiram Harroun, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Wm. B. Kirk and Christine Harroun, representatives of Hiram Harroun, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act in relation to commutation of taxes in the city of Albany," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Aitken, from the committee on banks, to which was referred the Senate bill entitled "An act to authorise savings banks, or institutions for savings, to deposit surplus funds in trust companies," reported, in writing, that the committee had examined

said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ware, from the committee on expenditures of the House, to which was referred the resolution directing the Clerk to procure 1,500 additional copies of the diagram of the Assembly chamber, for the use of the members and officers thereof, reported in favor of the passage of the same, which report was agreed to.

Mr. Ware, from the committee on expenditures of the House, to which was referred the resolution directing the Clerk to order new and deeper drawers to be put in the desks of the Assembly chamber, in the place of the drawers now in use by the members, reported in favor of the passage of the same, which report was agreed to.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to amend an act entitled 'An act to incorporate the Niagara county savings bank,' passed April 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act relating to indictments for robbery, burglary, larceny and receiving stolen goods," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act for the preservation of public health,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act authorising highway labor to be expended on the Half Moon and Clifton park plank road, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the American geographical and statistical society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Speaker presented the annual report of the trustees of the New-York dispensary, which was read and referred to the committee on ways and means.

Mr. Speaker presented a communication from the Commissioners of the Land office, in answer to a resolution of this body calling upon them for information in relation to the amount of land and moneys expended in the Onondaga salt springs reservations

since the adoption of the present Constitution, which was read and referred to the committee on the manufacture of salt.

On motion of Mr. D. P. Wood,

Ordered, That said communication be laid on the table and printed.

Mr. Germain presented the annual report of the Buffalo Savings bank, which was read and referred to the committee on banks.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the bill entitled as follows:

"An act to amend the act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' as far as the same relates to the village of Tonawanda, in the counties of Erie and Niagara."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows, to wit:

"An act for the relief of the Port Richmond and Freshkill plank road company."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to provide for a settlement of the accounts of the commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds."

On motion of Mr. Mitchell,

Said bill was laid on the table.

The bill entitled "An act to amend the charter of the Globe Insurance company," coming up for its third reading,

On motion of Mr. Boardman,

Ordered, That said bill be laid on the table.

The bill entitled "An act to legalize the acts of Horace Treadwell, a justice of the peace of the town of Jefferson, in the county of Schoharie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Mat. Hutchinson	Palmer	Townsend
Altken	Cook	Kinney	Peters	Underwood
Bailey	Conkling	Kirkland	Randall	Ward
Beckus	Crocheron	Lee	Richards	Ware
R. J. Baldwin	Dewey	Legg	Richardson	Weed

Barrow	A. A. Dunlop	Leigh	Robertson	Whipple
Beers	R. Dunlap	Littlefield	Rose	Whitman
Benedict	Edwards	Lozier	Savage	Wilder
Bennett	Fiero	Mather	Scott	J. E. Willis
Bergen	Freeman	G. Miller	Searing	Williams
Boardman	Germain	S. F. Miller	Sharp	Winne
Boyd	Gleason	Mitchell	Speaker	D. P. Wood
Brust	Hall	Morris	Stephens	J. S. Wood
Burnett	Harpur	Munroe	Suffern	W. H. Wood
Case				

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act in relation to free schools in the city of Troy, and school district No. 10 in the town of Lansingburgh, passed July 1, 1851; also to amend the act providing for the establishing of free schools in the city of Troy, passed April 4, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	Mitchell	Stephens
Aitken	Cost	Howell	Morris	Suffern
Bailey	Crocheron	Hull	Munroe	Thorn
Backus	Cushman	Mat. Hutchinson	Nelson	Underwood
R. J. Baldwin	Dawson	Mos. Hutchinson	Palmer	Ward
Barrow	Dewey	Kinney	Peters	Ware
Beers	A. A. Dunlop	Kirkland	Randall	Weed
Benedict	R. Dunlap	Lee	Richards	Whipple
Bennett	Edwards	Legg	Richardson	Whitman
Bergen	Fiero	Leigh	Robertson	Wilder
Boardman	Freeman	Littlefield	Rose	J. E. Willis
Boyd	Germain	Lozier	Savage	Williams
Brust	Gibbs	Martin	Scott	Winne
Case	Hall	Mather	Searing	D. P. Wood
Chesebro	Harpur	McMurray	Sharp	J. S. Wood
Clinton	Harris	G. Miller	Speaker	W. H. Wood
Cook	Hinkley	S. F. Miller		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of William Bull," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Chesebro	Gleason	McGraw	Stephens
Aitken	Clinton	Hall	McMurray	Sterling
Bailey	Cook	Harpur	G. Miller	Suffern
Baker	Collins	Hinckley	Mitchell	Thorn
Backus	Conkling	Holdridge	Morris	Townsend
R. J. Baldwin	Cost	Howell	Nelson	Ward
Barrow	Crocheron	Hull	Palmer	Weed
Beers	Cushman	Mat. Hutchinson	Randall	Whipple
Benedict	Dawson	Mos. Hutchinson	Richards	Whitman
Bennett	Dewey	Kirkland	Robertson	Wilder
Bergen	A. A. Dunlop	Lee	Rose	D. Willis
Boardman	R. Dunlap	Legg	Savage	J. E. Willis
Boyd	Edwards	Leigh	Scott	Williams
Brust	Fiero	Littlefield	Searing	Winne
Burgess	Freeman	Lozier	Sharp	D. P. Wood
Burnett	Germain	Mather	Speaker	W. H. Wood
Case				

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Those who voted in the negative are,

May	Munroe	Peters	Richardson	J. S. Wood	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the extension of the draining of the Black creek at Crozier swamp, in the county of Ulster,' passed June 4, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Gleason	McMurray	Suffern
Aitken	Cook	Hall	G. Miller	Thorn
Bailey	Collins	Harpur	Mitchell	Townsend
Backus	Conkling	Harris	Morris	Underwood
R. J. Baldwin	Cost	Hinkley	Munroe	Ward
Barrow	Crocheron	Holdridge	Nelson	Weed
Beers	Cushman	Howell	Palmer	Whipple
Benedict	Dawson	Mat. Hutchinson	Peters	Whitman
Bennett	Dewey	Mos. Hutchinson	Richards	Wilder
Bergen	A. A. Dunlop	Kinney	Savage	D. Willis
Boardman	R. Dunlap	Kirkland	Scott	J. E. Willis
Boyd	Edwards	Lee	Searing	Williams
Brust	Fiero	Legg	Sharp	Winne
Burgess	Freeman	Leigh	Speaker	D. P. Wood
Burnett	Germain	Lozier	Stephens	J. S. Wood
Case	Gibbs	Martin	Sterling	W. H. Wood
Chesebro				

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Lozier,

This order of business was laid upon the table.

Mr. Morris gave notice that he would, at some future day, ask leave to introduce a bill, to amend an act, entitled "An act further to amend the act, entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 14, 1852."

Mr. J. E. Willis gave notice that he would, at an early day, ask leave to introduce a bill amending the Revised Statutes in relation to contested seats.

Mr. Moseley Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Auburn and Fleming plank road company, so as to limit the claim of toll to the distance travelled thereon.

Mr. G. Miller gave notice that he would, at an early day, ask leave to introduce a bill to extend and amend the charter of the Suffolk county mutual insurance company.

Mr. A. A. Dunlop gave notice that he would, at some future day, ask leave to introduce a bill to organise the Albany Dime savings bank.

Mr. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to levy a tax of \$24,000 upon the city of Utica, to complete the City Hall therein.

Mr. Bergen gave notice that he would, at an early day, ask leave to introduce a bill to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, into one municipal government.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill to amend an act relating to pilots and pilotage in the port of New-York, passed June 28, 1853.

Mr. A. A. Dunlop gave notice that he would, at some future day, ask leave to introduce a bill to increase the stock of the Albany gas company.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill defining the powers and responsibilities of Marine, Inland Navigation and Fire Insurance companies.

Mr. Wilder gave notice that he would, at some future day, ask leave to introduce a bill to amend the charter of the village of Hoosick Falls.

Mr. Germain gave notice that he would, at an early day, ask leave to introduce a bill, entitled "An act in relation to the fees of justices' of the peace and constables in the city of Buffalo."

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Manhattan savings institution.

Mr. Clinton gave notice that he would, at an early day, ask leave to introduce a bill relative to the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes.

Mr. Barrow gave notice that he would, at some early day, ask leave to introduce a bill to allow the Newtown and Flushing plank road to change their rates of toll.

Mr. Aitken gave notice that he would, at an early day, ask leave to introduce a bill in relation to fees to sheriffs' of the city and county of New-York.

Mr. D. Willis gave notice that he would, at an early day, ask leave to introduce a bill to increase the pay of jurors and witnesses in our courts of law.

Mr. Fiero gave notice that he would, at an early day, ask leave to introduce a bill for the improvement of the police and justices' courts in the town of Athens, Greene county.

Mr. Searing gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Great Neck Commercial Dock company, in the county of Queens.

Mr. Collins gave notice that he would, at some early day, ask leave to introduce a bill to authorise Charles D. Adams, Esq., to sell the real estate of George Hobriaer, a criminal, for the benefit of his family.

Mr. Hull gave notice that he would, at an early day, ask leave to introduce a bill to authorise the formation of town mutual insurance companies.

Mr. Scott gave notice that he would, at an early day, ask leave to introduce a bill authorising the Seneca and Wayne county plank road company to remove their gate on said road.

Mr. Lozier gave notice that he would, at some future day, ask leave to introduce a bill to extend the boundaries of Livingston county, and to form said county into two jury districts.

Mr. Morris gave notice that he would, at an early day, ask leave to introduce a bill to amend title 1, of part 1st, of the Code of Procedure.

Mr. Backus gave notice that he would, at a future day, ask leave to introduce a bill to incorporate the Brooklyn juvenile asylum.

Mr. R. J. Baldwin gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Oxford Academy Boarding association.

Mr. Leigh gave notice that he would, at some future day, ask the privilege to present a bill to incorporate the tract society of the Methodist Episcopal church.

Mr. Leigh gave notice that he would, at some future day, ask the privilege to present a bill to amend an act passed April 29, 1829, to create a fund in aid of the society for the reformation of juvenile delinquents in the city of New-York, and for other purposes.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to regulate the delivery of merchandise and other articles, on the wharves and piers of New-York and Brooklyn," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Angel asked and obtained leave to introduce a bill entitled "An act for the appointment of a commissioner to revise and amend the charter of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Angle,

Said bill was referred to a select committee, consisting of the Monroe delegation.

In pursuance of previous notice, Mr. Thorne asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to nonresident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. D. P. Wood, and by unanimous consent,

Resolved, That the bill to revise the charter of the city of Syracuse be recommitted to the select committee of the Onondaga delegation, with power to report complete.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn,' passed April 4, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authenticate the Bath and Hammondsport plank road company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Gleason asked and obtained leave to introduce a bill entitled "An act to provide for the improving of the Sacandaga river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Barrow asked and obtained leave to introduce a bill entitled "An act to increase the number of commissioners of deeds in the city of New-York," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. S. Wood asked and obtained leave to introduce a bill entitled "An act to change the name of George Mulford to George Gardner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Savage asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to alter the map of the city of New-York by laying out thereon a public place and authorize the taking of the same,' passed July 21, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act in relation to estates in dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Moseley Hutchinson asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Collins asked and obtained leave to introduce a bill entitled "An act to authorise the Lowville and Carthage plank road company to abandon that portion of their road lying in Jefferson county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Collins asked and obtained leave to introduce a bill entitled "An act to authorise Charles D. Adams to sell and convey the real estate of George Hobrigger, a criminal in the Auburn State prison, by virtue of a power of attorney," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Collins,

Said bill was referred to a select committee.

Mr. Speaker announced as such committee, Messrs. Collins, W. H. Wood and Barrow.

In pursuance of previous notice, Mr. Lozier asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of North Dansville, Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act relation to dogs

in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to consolidate the cities of Brooklyn and Williamsburgh into one municipal government," and an address in relation thereto, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Rose asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the village of Perry,' passed July 5, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to authorise any town or city in the counties of Oneida, Madison, Chenango, and Broome, to subscribe to the capital stock of the Utica and Binghamton railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to provide for the appointment of commissioners of deeds in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act for allowing the continued use of co-partnership names in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to prohibit the sale of merchandise by non residents within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Case asked and obtained leave to introduce a bill, entitled "An act to amend section 1, of an act to protect sidewalks along highways, passed May 10, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Morris,

Resolved, That the petition of John Cavanagh for the release of

certain lands in the town of Jamaica, be taken from the files and referred to the committee on the petitions of aliens.

In pursuance of previous notice, Mr. Bergen moved that rule No 4, be suspended, for the purpose of moving that Assembly bill, No. 150, entitled "An act to amend the act incorporating the Mariners' savings institution," be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the negative.

On motion of Mr. Fiero,

The time for the adjournment of this day's session, was extended to two o'clock, p. m.

Mr. Benedict offered for the consideration of the House, a preamble and resolutions in the words following, to wit :

Whereas, A large and respectable convention of the cigar manufacturing interest of this and the adjoining States, including cigar leaf growers, dealers, manufacturers, cigar makers, and cigar box manufacturers, was recently held in the city of Albany, at which convention their grievances were clearly, eloquently, and truthfully stated, showing that the foreign importation of cigars into this country, almost free of duty, flooding it with cigars at prices which prove ruinous to the trade and labor for the manufacture and sale of our own domestic growth, thereby enabling them to offer their cigars at prices so low as to preclude the hope of a successful competition by the American manufacturer, without reducing the price of labor in this country, to the blighting and withering standard of the pauper labor of Europe ; and whereas, a proposition is now before Congress, and it is to be hoped, with some prospect of success, so to alter or modify the existing tariff as will more effectually protect American industry, and enable our own manufacturers to compete with the ground down and pauper labor of foreign trade ;

Therefore Resolved, (If the Senate concur,) That our Senators and Representatives in Congress, be earnestly requested to use all honorable means in their power, so to alter or modify the existing tariff as to impose a specific duty of forty cents per pound, on all foreign cigars hereafter imported into this country for sale or use ;

Resolved, (If the Senate concur,) That the Governor be requested to transmit a copy of this preamble and these resolutions to each of our Senators and Representatives in Congress, without delay.

Ordered, That said preamble and resolutions be laid on the table.

On motion of Mr. Germain,

Resolved, That the committee of the whole be discharged from the further consideration of the bill to authorise the New-York and Erie bank to change its place of business, and that the same be referred to a select committee to report complete.

On motion of Mr. Peters,

Resolved, That hereafter all reports made in answer to resolutions of the House, calling for information from State officers and others, be printed.

On motion of Mr. Williams,

Resolved, That the judiciary committee be discharged from the further consideration of the bill to confirm the acts of the commissioners which located the half shire buildings in Steuben co., and the same be referred to the committee on the erection and division of towns and counties.

Pending the consideration of the resolution,

At two o'clock, p. m., Mr. Speaker declared the House adjourned.

TUESDAY, FEBRUARY 21, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of yesterday were read and approved.

Mr. Speaker announced as the select committee upon the bill entitled "An act to authorise the New-York and Erie bank to change its place of business, Messrs. Angle, Weed, Gibbs, W. H. Wood and Palmer.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to erect the town of Horseheads from the town of Elmira, in the county of Chemung."

"An act to provide for the improvement of the Erie, Oswego, and Cayuga and Seneca canals."

"An act granting the consent of the State of New-York to the purchase, by the United States, of certain lands in the city of Oswego, for the purpose of the erection of a custom house, ware house, post office, and court rooms, and ceding jurisdiction over the same."

"An act to provide for an additional justice of the peace in the town of Ellisburg, in the county of Jefferson."

By unanimous consent,

Mr. R. J. Baldwin offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That the question on agreeing to the report of the committee on banks, made yesterday, adversely to a petition of citizens of Ulster county, in respect to the taxation of bank capital, be reconsidered.

Ordered, That said resolution be laid on the table.

On motion of Lozier, and by unanimous consent,

Resolved, That this House will take a recess from three-quarters past one o'clock p. m., until half-past three o'clock p. m., of this day, and when this House adjourns it adjourn to meet again on Thursday morning next, at 11 o'clock a. m.

By unanimous consent,

Mr. Benedict, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for collecting taxes in the city of Auburn," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

This being the day prescribed by the rules for general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorise the Rome and Oswego road company to abandon portions of their road."

"An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increased compensation for work done by him in abating a nuisance on State lands in the city of Syracuse."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. W. H. Wood, from said committee, reported that the committee had gone through said bills, and agreed to the same severally with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

On motion of Mr. Moseley Hutchinson, and by unanimous consent,

The Senate bill entitled "An act to provide for the payment of a judgment recovered against the agent of the Sing Sing prison by Zalmon J. McMaster and Jacob T. Merritt," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hollenbeck	Mitchell	Suffern
Bailey	Cumming	Howell	Morris	Thompson
Baker	Cushman	Hull	Munroe	Thorne
Beckus	Dawson	Mat. Hutchinson	Nelson	Townsend
S. Baldwin	Dewey	Mos. Hutchinson	Noble	Underwood
Barrow	A. A. Dunlop	Joy	Odell	Ward
Barton	R. Dunlap	Kinney	Palmer	Ware
Baucus	Edwards	Kirkland	Payne	Weed
Beers	Fiero	Lee	Preston	Whipple
Benedict	Freeman	Leigh	Richards	Whitman

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Bennett	Germain	Littlefield	Richardson	Wilder
Bergen	Gibbs	Lozier	Robertson	D. Willis
Bostwick	Gleason	Mather	Savage	J. E. Willis
Boyd	Gott	May	Searing	Williams
Burnett	Hall	McMurray	Seeley	Winne
Cook	Harpur	G. Miller	Speaker	D. P. Wood
Collins	Harris	L. Miller	Stephens	J. S. Wood
Conkling	Holdridge	S. F. Miller	Sterling	W. H. Wood 90

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Cumming, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bills to incorporate the Bloomingdale and Rose Hill savings banks, and Penny Institution for Savings in the city of New-York, and that the same be referred to a select committee to report complete.

By unanimous consent,

Mr. Benedict, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the town of Lenox, for the election of a fifth justice of the peace in said town, reported, and asked and obtained leave to bring in a bill, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. C. C. Leigh asked and obtained leave to bring in a bill entitled "An act to amend an act to create a fund in aid of the society for the reformation of juvenile delinquents in the city of New-York, and for other purposes, passed April 29, 1829," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

By unanimous consent,

Mr. A. A. Dunlop asked and obtained leave to bring in a bill entitled "An act to increase the capital stock of the Albany Gas Light company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Boyd offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That a respectful message be sent to the Senate requesting that body to transmit to this House the papers respecting the petition of James Hay, relative to the estate of John G. Leake, and that when received such papers to be referred to the committee on the petitions of aliens.

Mr. D. P. Wood moved to amend said resolution by striking out the word "respectful."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Burnett, and by unanimous consent,

The committee on the judiciary was discharged from the further consideration of the bill entitled "An act for the protection of gas light companies," No. 63 on the general orders, recommitted to them under a resolution of the House, and ordered to take its original place upon the general orders.

Mr. Speaker presented a communication from the commissioners to superintend the completion of the publication of the Natural History of New-York, which was read and referred to the committee on colleges, academies and common schools.

At fifteen minutes to two o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The House then resolved itself into a committee of the whole on the following entitled Senate bills :

"An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lots sold Peter Smith, made any mistake in measuring or computing the same, and if so, to correct the same."

"An act to divide the sixth judicial district of the city of New-York."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lozier, from said committee, reported, that the committee had gone through said bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to repeal the charter of the Canaan and Union Village turnpike road company."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lozier, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a report upon the claims of Jacob Graves, Charles J. Hill, and others, of the Canal Appraisers.

Ordered, That said report be laid on the table and printed.

Mr. R. J. Baldwin offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 100 extra copies of the report and accompanying documents of the Canal Appraisers upon the claims of Jacob Graves, Charles J. Hill and others, be printed for the use of the Canal Appraisers.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Wood, from the select committee consisting of the Onondaga delegation, to which was referred the bill entitled "An act to revise the charter of the city of Syracuse," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

The bill, entitled "An act to revise the charter of the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Conkling	Harris	L. Miller	Suffern
Bailey	Cost	Holdridge	S. F. Miller	Thompson
Baker	Crocheron	Hull	Mitchell	Townsend
B. J. Baldwin	Cumming	Mat. Hutchinson	Morris	Ward
S. Baldwin	Dawson	Mos. Hutchinson	Munroe	Ware
Barrow	Dewey	Joy	Noble	Weed
Barton	A. A. Dunlop	Kinney	Odell	Whipple
Benedict	R. Dunlap	Lee	Palmer	Whitman
Bennett	Edwards	Legg	Preston	Wilder
Bergen	Freeman	Littlefield	Robertson	D. Willis
Boardman	Germain	Littlejohn	Savage	J. E. Willis
Bostwick	Gibbs	Lozier	Scott	Winne
Burgess	Gleason	Mather	Searing	D. P. Wood
Case	Gott	May	Seelsy	J. S. Wood
Clinton	Hall	McMurray	Stephens	W. H. Wood
Cook	Harpur	G. Miller	Sterling	

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Those who voted in the negative are,

Boyd Leigh

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Cummings, and by unanimous consent,

Resolved, That Assembly bills, No. 50 and 51, be taken from the table, and restored to their regular position on the general orders.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of inhabitants of Steuben county, pray-

ing for an act to authorise the Hammondsport and Bath plank road company to abandon a part of their road, reported, and asked and obtained leave to introduce a bill, entitled "An act to amend an act to authorise the Hammondsport and Bath plank road company to abandon a part of their road, without completion of the same, passed April 12, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the High Bridge plank road company for a law allowing them to abandon a part of their road, reported, and asked and obtained leave to introduce a bill, entitled "An act to authorise the stockholders of the High Bridge plank road company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill, entitled "An act to enable the Myrtle avenue and Jamaica plank road company to borrow money and locate toll gates," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorise the town of Lenox to raise money by tax, for road purposes."

"An act in relation to the office of the Register of Deeds of the city and county of New-York."

"An act authorising the payment of an award to Harry Hall."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Conkling, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act for the relief of Joseph Willis, Lemuel French, John Shirley, Lyman Mills, and William Pillmore."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Morris, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment.

On motion of Mr. Littlejohn,

Ordered, That said bill be laid on the table.

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act to amend an act for the relief of Samuel Bell, and Washington A. H. Bogardus."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Morris, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The House resolved itself into a committee of the whole on the following entitled bills:

"An act to incorporate the Bloomingdale savings bank."

"An act to incorporate Rose Hill savings bank."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Morris, from said committee, reported progress on said bills, and asked leave to sit again.

On motion of Mr. Savage,

The committee of the whole were discharged from a further consideration of said bills, and they were ordered engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Mariners' savings institution in the city of New-York.'"

"An act to repeal an act entitled 'An act in relation to the powers and duties of the trustees of the village of Walton,' passed June 21, 1853."

"An act for the relief of Lewis Beebee, James L. Beebee, and John W. Beebee."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. J. E. Willis, from said committee, reported that the committee had gone through said first and second mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. J. E. Willis, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

Mr. Speaker presented the annual report of the Mechanics' and Traders' savings institution, which was read and referred to the committee on banks.

On motion of Mr. Cumming, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill No. 138, to enable the supervisors of the city and county of New-York, to raise money by tax, and that it be referred to a select committee to report complete.

On motion of Mr. Littlejohn, and by unanimous consent,

The bill, entitled "An act for the relief of Joseph Willis, Lemuel French, John Shirley, Lyman Mills and William Pillmore, was

amended, by inserting before the word "they" in the 9th line, of the 1st section, the words "if the State is liable for such damage," and the report of the committee of the whole thereon agreed to.

By unanimous consent,

Mr. A. A. Dunlop asked and obtained leave to bring in a bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Albany, made by William White, as loan commissioner."

On motion of Mr. A. A. Dunlop,

The aforesaid bill was referred to the committee on the internal affairs of towns and counties, with power to report complete.

On motion of Mr. D. P. Wood, and by unanimous consent,

The bill entitled "An act to provide for the straightening of the Onondaga creek, and draining certain low lands near the southerly bounds of the corporation of the city of Syracuse," was taken from the committee of the whole, and referred to a select committee of the Onondaga delegation, to report complete.

On motion of Mr. Lozier,

At fifteen minutes before seven o'clock, p. m., the House adjourned.

THURSDAY, FEBRUARY 23, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of Tuesday, the 21st inst., were read and approved.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit:

"An act to legalize the acts of Horace Treadwell, a justice of the peace of the town of Jefferson, in the county of Schoharie."

"An act to amend an act entitled 'An act to amend title six, of chapter seven, of part one, of the Revised Statutes, passed July 18, 1853,' relative to the supply of the Legislature with stationery, knives and newspapers."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act for the incorporation of private and family cemeteries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

"An act authorising the board of supervisors of the county of Kings to create a loan to continue the erection of a penitentiary in said county, and to erect a wash house for the nursery build-

ings on the county farm," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to reduce the criminal expenses of the town of Watervliet, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to pleadings in courts of records," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Littlejohn, and by unanimous consent,

The regular business of this day, it being the day prescribed by the rules for general orders, was suspended one hour.

Mr. Lozier presented two petitions of inhabitants of North Dansville, Livingston county, praying for a law authorising the construction of a feeder to the Genesee Valley canal, on the Genesee river, in the county of Allegany, which were read and referred to the committee on canals.

Mr. Lozier presented two several petitions of the second Assembly district of Livingston county, and of the supervisor of North Dansville, to establish courts at Dansville, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Savage presented the petition of citizens of the city and county of New-York, for a new ward in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Savage presented the remonstrance of the mechanics and traders of the city of New-York, against the bill making the chief of police an elective office, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Savage presented a remonstrance of other citizens of New-York, upon the same subject, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Scott presented the remonstrance of the officers and soldiers of the 55th regiment and 28th brigade of the State of New-York, against the repeal of the commutation tax, which was read and committed to the committee of the whole.

Mr. Scott presented the petition of four hundred inhabitants of Seneca county, for a more stringent law to prevent gaming on the Sabbath, which was read and referred to the committee on the judiciary.

Mr. Williams presented 4 several petitions of inhabitants of Steuben county, for a division of said county, with public buildings at Addison, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Underwood presented 25 remonstrances of citizens of Yates county, against dividing said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Barrow presented the remonstrance of members of the bar of New-York, against making the chief of police an elective office, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Clinton presented the remonstrance of merchants and bankers in New-York city, upon the same subject, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Sessions presented the petition of the Chautauque county Mutual Insurance company, for extension of their charter, which was read and referred to the committee on insurance companies.

Mr. Speaker presented the petition of the Albany Exchange bank, to require safety fund circulation of old banks, whose charters have expired, to recall the same, which was read and committed to the committee of the whole.

Mr. McGraw presented the petition of mechanics of Cortlandt county, for a lien law, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Oushman presented the petition of Mary Jane Johnson, for relief, which was read and referred to the committee on the petitions of aliens.

Mr. Morris presented the remonstrance against taking away the Chamberlain dam on the Cayuga and Seneca canal, which was read and referred to the committee on canals.

Mr. Hoyle presented four petitions of citizens of Clinton county, for a prohibitory liquor law, which were read and referred to the select committee on that subject.

Mr. Hoyle presented the petition of citizens of Clinton and Essex counties, for a law authorising the Sacketts Harbor and Saratoga railroad company to change their route, which was read and referred to the committee on railroads.

Mr. Randall presented the petition of citizens of the town of Elmira, for changing the north line of said town, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Stephens presented 12 petitions of citizens of Steuben co., for a new county from parts of Allegany and Steuben counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Odell presented the petition of the Andre Monument Association, for relief, which was read and referred to the committee on State prisons.

Mr. May presented 8 petitions of inhabitants of Allegany co., for a feeder to the Genesee Valley canal, which were read and referred to the committee on canals.

Mr. May presented 23 remonstrances of inhabitants of Allegany county, against dividing said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Conkling presented the remonstrance of the members of the Reform Association of the city of New-York, against altering the mode of appointing chief of police, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Conkling presented the petition of Ellen Kennedy, for relief, which was read and referred to the committee on grievances.

Mr. Winne presented the petition of citizens of Schenectady, for relief of the New-York State Association, which was read and referred to the committee on ways and means.

Mr. Hall presented the petition of inhabitants of the town of Oswegatchie, for a law authorising the election of two additional assessors at the next town meeting, which was read and referred to a select committee consisting of the St. Lawrence delegation.

Mr. S. Baldwin presented the petition of inhabitants of the village of Waddington, to amend the charter of said village, which was read and referred to a select committee consisting of the St. Lawrence delegation.

Mr. L. Miller presented two petitions of inhabitants of Parishville, St. Lawrence county, for the improving of the St. Regis river, and to declare the same a public highway, which was read and referred to the committee on commerce and navigation.

Mr. Neilson presented the petition of citizens of Schenectady, for amendment to the charter of the Saratoga and Schenectady bridge company, which was read and referred to the committee on roads and bridges.

Mr. Barrow presented the petition of inhabitants of the town of Northumberland, for a prohibitory liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Mather presented the petition of residents of Plainfield, to amend the assessment law, which was read and referred to the committee on the judiciary.

Mr. Randall presented 3 remonstrances of citizens of Chemung county, against any division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Randall presented 3 petitions of inhabitants of Chemung county, for a new county from territory near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. McGuire presented the petition of pilots of the port of New-York, for an amendment of the pilot law, which was read and referred to the committee on commerce and navigation.

Mr. Seeley presented the petition of inhabitants of the town of Morris, to change the name of said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Whipple presented the petition of John Dillenbeck, for damages occasioned by a road passing through his farm, which was read and referred to the committee on roads and bridges.

Mr. Leigh presented the petition of tax payers of the city of New-York, for the formation of county teachers' associations, which was read and referred to the committee on colleges, academics and common schools.

Mr. Leigh presented the petition of lumbermen of New-York city, complaining of the want of ferry accommodations in the city of Troy, which was read and referred to the committee on commerce and navigation.

Mr. Boyd presented the petition of John Leonard Magee, to have his name changed to John Leonard, which was read and referred to the committee on the judiciary.

Mr. Cushman presented the petition of citizens of Newburgh, for an act to amend an act relating to the police of that village, which was read and referred to the committee on the judiciary.

Mr. D. P. Wood presented the petition of the Syracuse Water Works company, to amend their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Wilson presented the petition of F. J. Levalley and others, for a law authorising the Canal Commissioners to enlarge the channel of the Eighteen Mile creek, so as to carry off surplus waters of the Erie canal at Lockport, which was read and referred to the committee on canals.

Mr. Wilson presented the petition of Franklin J. Levalley, for relief, which was read and referred to the committee on claims.

Mr. Benedict presented the petition of Albert Marcellus, for relief, which was read and referred to the committee on claims.

Mr. Payne presented the petition of John Nichols, for canal damages, which was read and referred to the committee on claims.

Mr. Angle presented the petition of inhabitants of Monroe co., for a canal feeder at Wellsville, which was read and referred to the committee on canals.

Mr. Benedict presented the petition of the common council of the city of Utica, for an act to authorise the city to borrow \$24,000 to finish and furnish its City Hall, which was read and referred to a select committee consisting of the Oneida county delegation.

Mr. Suffern presented the remonstrance of citizens of Orange county, against an act for the support of the poor of the town of Newburgh, in said county, passed March 23, 1843, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Collins presented the petition of inhabitants of Lewis co., authorizing the Sacketts harbor and Saratoga railroad company to

change its route, which was read and referred to the committee on railroads.

Mr. Lee presented the petition of inhabitants of Sing Sing, to Legislature, to sell the State farm, which was read and referred to the committee on ways and means.

Mr. Sterling presented the petition of inhabitants and mechanics of Poughkeepsie, to amend an act passed April 16, 1852, for the better security of mechanics and others erecting buildings, which was read and referred to the committee on the judiciary.

Mr. Winne presented the petition of sundry citizens of Schenectady, for an act separating the office of Superintendent of Schools from that of Secretary of State, and the establishment of an educational bureau, which was read and referred to the committee on colleges, academies and common schools.

Mr. Harris presented the petition of Dwight Merrill and others, for a law prohibiting boats from passing locks on the canals of this State on the Sabbath day, which was read and referred to the committee on canals.

Mr. Peters presented the petition of inhabitants of Genesee, relative to safety fund banks, which was read and committed to the committee of the whole.

Mr. Peters presented two petitions of inhabitants of Oakfield, for the separation of the office of State Superintendent of Schools from the office of Secretary of State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sterling presented the petition of sundry inhabitants of Poughkeepsie, for an act to repeal the charter granted to the Lancaster School Society in said village, and to vest the title of said property in the board of education in said village, which was read and referred to the committee on the judiciary.

Mr. Sterling presented the petition of inhabitants of Poughkeepsie, that an act exempting those belonging to military companies from two day's road tax, be extended to firemen, which was read and referred to the committee on the judiciary.

Mr. Peters presented the petition of inhabitants of Alexander, Attica and Darien, for the alteration of the law relative to the commutation of highway labor on railroads, which was read and referred to the committee on railroads.

Mr. Germain presented the petition of owners and captains of private boats, for a law incorporating companies to navigate canals, lakes and rivers of this State, which was read and committed to the committee of the whole.

Mr. Ferguson presented the petition of citizens of Clinton, Franklin and St. Lawrence counties, against levying tolls on railroads, which was read and referred the committee on canals.

Mr. Mills presented a petition, praying that the recommendations of the joint committee of the act passed May 28, 1841, to examine into the condition of the Banking Department, should be

duly considered, which was read and referred to the committee on banks.

Mr. Backus presented the petition of inhabitants of Brooklyn, for the incorporation of the Brooklyn Juvenile Asylum, which was read and referred to the committee on State charitable institutions.

Mr. Ferguson presented the petition of inhabitants of Malone, Franklin county, for a police constable in said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Ferguson presented the petition of inhabitants of the town of Malone, for an act authorizing said town to loan money for the purpose of repairing, widening and enlarging the stone bridge across Salmon river, in the village of said town, which was read and referred to the committee on roads and bridges.

Mr. Burgess presented the petition of inhabitants of Herkimer county, that persons employed upon boats navigating the canals, may have a lien upon the boats for their services, which was read and referred to the committee on the judiciary.

Mr. Burgess presented three several petitions of citizens of Frankfort, Herkimer county, for a law authorizing said town to borrow \$1,500 for the improvement of the Moyer creek road, which were read and referred to the committee on roads and bridges.

Mr. Bennett presented the petition of Geo. W. Cuyler, and other citizens of Wayne county, for the suppression of illegal currency, which was read and committed to the committee of the whole.

Mr. Burnett presented the petition of Heman J. Powers, for relief, which was read and referred to the committee on ways and means.

Mr. Germain presented the petition of 37 legal voters of Eden, Erie co., for a law securing the personal liberty of all the inhabitants of the State, and also pass resolutions instructing the Senators and requesting the Representatives of the State in Congress to pass laws for the complete divorce and separation of the national government from slavery, and especially for the prohibition of slavery in the District of Columbia, for the prohibition of slavery in the territories, for the prohibition of the slave trade in the licensed and registered vessels of the United States, for the prohibition of the sale of persons under the federal process, and for the repeal of the fugitive slave act, which was read and referred to the committee on grievances.

Mr. Sheeley presented the petition of inhabitants of Churchville, Sullivan county, praying for a prohibitory liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Leigh, from the committee on State prisons, to which was referred the bill entitled "An act to amend an act to create a fund in aid of the society for the reformation of juvenile delinquents

in the city of New-York, and for other purposes, passed April 29, 1829," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

The committee on State prisons, to which was referred the bill entitled "An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess, in the penitentiary of the county of Albany, and to prescribe the punishment of certain offences," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bills do have its third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to dogs in the city of Utica," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of sundry persons, praying for an alteration of the law in relation to the pay of justices of sessions in Onondaga county, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts,' passed July 19, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Oswego, passed April 12, 1848,' and the acts amending the same," and for other purposes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the people of this State in and to certain real estate, of which Luda, otherwise Lewis Eggers died seized, to Anna C. Eggers, his widow," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of John McGowegal and others, for an act relating to fraud in the purchase of property, reported adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Ontario co., for a law to prohibit judges of the supreme court from engaging in other business during their term of office, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

On motion of Mr. Peters,

Said resolution was laid on the table.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act conferring power on the marine court in the city of New-York to naturalize aliens," reported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to courts held by justices of the peace," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize primary elections in the city of New-York," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the judges of the county of Kings to appoint a crier of the courts of record to be held in and for said county," reported that the committee had

examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to legalize the annual election for village officers held in the village of Piermont, county of Rockland, on the first Tuesday of March, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Munroe, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act declaring the village of Antwert a valid corporation, to enlarge its provisions, and to make said village a separate road district," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Munroe, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the village of Ogdensburgh," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of citizens of the towns of Salisbury and Morehouse, praying for an act to authorise the imposition of taxes on certain lands, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the imposition of a tax upon certain lands in Herkimer and Hamilton counties, to provide means for completing a road from Morehouse to Salisbury," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to provide for raising moneys upon the town of Lyons, to rebuild a bridge therein," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Morris, from the committee on banks, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara County Savings bank,' passed April 10, 1851," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mills, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to alter the map of the city of New-York, by laying out therein a public place, and to authorize the taking of — of the same,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the Cypress Hills cemetery association, praying for leave to hold lands in Queens county, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the Cypress Hills cemetery,' passed February 14, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the firemen of the village of Brooklyn,' passed April 16, 1823," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of inhabitants of Brooklyn, praying for the incorporation of the Brooklyn juvenile asylum, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the Brooklyn juvenile asylum," which was read the first time, and by unanimous consent was also

read the second time, and committed to the committee of the whole.

On motion of Mr. Backus,

Resolved, That fifty extra copies of said bill be printed for the use of the committee on charitable and religious societies.

Mr. Edwards, from the select committee, to which was referred the bill, entitled "An act for the relief of the New-York and New-Rochelle railroad company," with power to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

Mr. Edwards, from the committee on railroads, to which was referred the bill entitled "An act regulating the fare of way trains on railroads," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Searing from the committee on railroads, to which was referred the bill, entitled "An act in relation to the Brooklyn city railroad," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of H. O. Crommelin, and others, praying for an act providing for the completion of Division avenue in the city of Brooklyn, &c., reported, and asked and obtained leave to introduce a bill entitled "An act providing for the completion of the opening and grading of Division avenue in the county of Kings, and for the paving and otherwise improving the same," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Utica and Binghamton railroad company, empowering it to apply for appraisal of land on complying with certain conditions," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Randall, from the committee on railroads, to which was referred the bill entitled "An act to authorise the town of Sherburne to borrow money to aid in the construction of a railroad through said town," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Benjamin Frazer, praying for relief, reported, and asked and obtained leave to introduce a bill, entitled "An act for the relief of Benjamin Frazer," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition of William Mapes, praying for relief, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the appraisal and payment of canal damages to William Mapes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Francis Smith, and heirs of John Dunlap, praying for relief, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Francis Smith, the heirs of John Dunlap, and Shelburne Ives," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Collins, from the select committee to which was referred the bill entitled "An act to authorise Charles D. Adams to convey the real estate of George Hobrigger, a criminal in the Auburn State prison, by virtue of a power of attorney," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Benedict, from the select committee consisting of the Oneida delegation, to which was referred the petition of the common council of the city of Utica, for the passage of a law authorising said city to borrow \$24,000 to finish and furnish the City Hall in said city, reported, and asked and obtained leave to introduce a bill, entitled "An act authorising the common council of the city of Utica, to borrow money to finish and furnish the City Hall in said city," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Angle, from the select committee, to which was referred the bill, entitled "An act to authorise the New-York and Erie bank to change its place of business," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Lee, from the select committee, to which was referred the bill, entitled "An act to amend the act incorporating the village

of Sing Sing," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Burnett,

The judiciary committee was discharged from the further consideration of the petition of the members of the Ontario and Livingston insurance company for an extension of their charter, and the same was referred to the committee on insurance companies.

On motion of Mr. Burnett,

The bill entitled "An act to amend the act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the city of New-York,'" was taken from the committee on the judiciary, and referred to the committee on trade and manufactures.

On motion of Mr. Burnett,

The judiciary committee was discharged from a further consideration of the following entitled petitions: for an alteration of the laws in relation to jurors on the subject of highways; and of commissioners of highways of the town of Harmony, in the county of Chautauque, praying for a loan of money to said town; and the said petitions were referred to the committee on roads and bridges.

On motion of Mr. Burnett,

The judiciary committee was discharged from the further consideration of the memorial of E. D. Culver, of Williamsburgh, in reference to prosecutions for excise penalties, and said memorial was laid upon the table.

On motion of Mr. Savage,

Resolved, That the committee on the incorporation of cities and villages, be discharged from the further consideration of the bill, entitled "An act to amend the act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April 20, 1852," and that the same be referred to a select committee, consisting of the delegation from Herkimer county, to report complete.

Mr. Williams offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the bill to confirm the acts of the commissioners which located the half shire buildings in the southern jury district in Steuben co., and the same be referred to the committee on the erection and division of towns and counties.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker announced Messrs. Cumming, McGraw and R. Dunlap, as the select committee on the bill, entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax,"

The hour for the suspension of the regular business having expired, Mr. Speaker announced the business of the day prescribed by the rules, it being the general orders.

The House then resolved itself into a committee of the whole on the Senate bill, entitled as follows:

"An act to amend the charter of St. Luke's Hospital in the city of New-York."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gleason, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend the act entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts,' passed July 19, 1853."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gleason, from said committee, reported progress on said bill, and asked leave to sit again.

Pending consideration, Mr. D. P. Wood moved that the hour for the adjournment of to-day's session be extended, until the business under consideration, be disposed of.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

Mr. Speaker presented a communication from the New-York State Agricultural society in relation to furnishing suitable rooms for said society, which was read and committed to the committee of the whole.

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act to provide for certain expenses of Government."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gleason, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Moseley Hutchinson, and by unanimous consent, the bill, entitled "An act to extend the time for the collection of taxes in the city of Auburn," was ordered to its third reading.

By unanimous consent,

Mr. A. A. Dunlop asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Watervliet, county of Albany," which was read the first time, and by unanimous consent was also read the second

time, and referred to the committee on the internal affairs of towns and counties.

At fifteen minutes to two o'clock, the hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

FRIDAY, FEBRUARY 24, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The minutes of yesterday were read and approved.

On motion of Mr. Clinton, and by unanimous consent,

The bill No. 139, entitled "An act in relation to the register of deeds in the city and county of New-York," and ordered engrossed for a third reading, was recommitted to the committee of the whole.

Mr. Randall presented three remonstrances of inhabitants of the county of Chemung, against dividing said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. McGraw presented the petition of Henry S. Randall and others, of Cortlandt county, for aid to the New-York Central Colleges, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sterling presented the remonstrance of the Dutchess turnpike company, against the removal of their new toll gate, which was read and referred to the committee on roads and bridges.

Mr. Hatch presented the petition of 156 inhabitants of the town of Concord, Erie county, for an amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Harris presented the petition of Harvey Thompson and others, to prohibit the use of the canals on the Sabbath day, which was read and referred to the committee on canals.

Mr. Richards presented the petition of citizens of New-York city, for the Maine liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Angle presented the petition of 74 women of Schoharie county, for the Maine liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Lozler presented the petition of citizens of Allegany co., to be attached to Livingston county, and remonstrating against the division of Allegany and Steuben counties, with a county seat at Hornellsville, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Losier presented the petition of Henry Murray and others, for the payment of awards made by the canal appraisers, which was read and referred to the committee on claims.

Mr. May presented five several petitions of inhabitants of Allegany county, for a feeder to the Genesee Valley canal, which were read and referred to the committee on canals.

Mr. Bailey presented the petition of citizens of Painted Post, for the same object, which was read and referred to the committee on canals.

Mr. Winne presented the petition of David Tomlinson, for relief, which was read and referred to the committee on the judiciary.

Mr. Cushman presented the remonstrance of citizens of Dutchess county, against giving the Poughkeepsie and Stormville plank road company the privilege of changing their road to a turnpike, which was read and committed to the committee of the whole.

Mr. A. A. Dunlop presented the petition of citizens of West Troy, for a feeder to the Genesee Valley canal, which was read and referred to the committee on canals.

Mr. Nielson presented the petition of citizens of Orange co., for a copy of the Session Laws to be deposited in the school district libraries of this State, which was read and referred to the committee on the judiciary.

Mr. Montfort presented the petition of citizens of Dutchess co., to remove a toll gate on the Dutchess turnpike, near Poughkeepsie, which was read and referred to the committee on roads and bridges.

Mr. Searing presented the petition of inhabitants of Jamaica, relating to the Long Island railroad, which was read and referred to the committee on railroads.

Mr. Benedict presented the petition of S. Newton Dexter, for the payment of a draft of the Canal Board, which was read and referred to the committee on the judiciary.

Mr. Wilson presented the petition of John W. Alberts, of Niagara co., for relief, which was read and referred to the committee on claims.

Mr. R. Dunlap presented the petition of 31 farmers of Niagara county, relating to railroad fences, which was read and referred to the committee on railroads.

Mr. Bergen presented the petition of the directors of the Williamsburgh City bank, relating to the issue of illegal currency, which was read and committed to the committee of the whole.

Mr. Hinckley presented the petition of inhabitants of Hamilton county, to raise money in the town of Morehouseville, by tax, for the support of common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Conkling presented three petitions of citizens of New-York, in favor of the act to promote medical science, which were read and committed to the committee of the whole.

Mr. Payne presented a petition for the suppression of illegal currency, which was read and committed to the committee of the whole.

Mr. Holdridge presented the petition of citizens of Monroe co., on the same subject, which was read and committed to the committee of the whole.

Mr. Dewey presented the petition of citizens of Watertown, Jefferson county, for a law regulating the transportation of property, which was read and referred to the committee on the judiciary.

Mr. Dewey presented the petition of citizens of Jefferson co., allowing the Sacketts Harbor and Saratoga railroad company to change their route, which was read and referred to the committee on railroads.

Mr. Richardson presented the petition of 100 voters of Manlius, for a prohibitory liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Germain presented the petition of citizens of Tonawanda, in the county of Erie, for the incorporation of companies to navigate the canals, rivers and lakes, of this State, which was read and committed to the committee of the whole.

On motion of Mr. Harris, and by unanimous consent,

The committee on militia and public defence, which had under consideration the claim of Eleanor Fink and of Isaac Satterly, was discharged from the further consideration of the same, and was referred to the committee on claims.

On motion of Mr. S. Baldwin, and by unanimous consent,

Resolved, That the petition of Charles Cook, for land damages, be referred to the canal appraisers, and that they report to this House the facts in regard to his claim.

On motion of Mr. Aitken,

The bill entitled "An act to legalize primary elections in the city of New-York," having by mistake been reported against by the judiciary committee, was recommitted to the committee on privileges and elections, to which the bill was originally referred.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to regulate the delivery of merchandise and other articles at or upon the wharves, piers and slips of the city and county of New-York, and the county of Kings," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for allowing the continued use of copartnership names in certain cases," reported, that the committee had examined said bill, made sundry

amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to prohibit the sale of merchandise by non-residents within this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites for light houses and keepers' dwellings within this State, and relinquish title to the small island opposite New Baltimore, in the Hudson river," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill, entitled "An act to repeal the act entitled 'An act to regulate the rate of wharfage on lighters in the cities of New-York and Brooklyn,' passed April 13th, 1852," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill, entitled "An act to improve Grass river in St. Lawrence county, for floating timber and saw logs," and numerous petitions relating to the subject matter of said bill, reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act declaring the west branch of the St. Regis river a public highway, and for regulating the passage of logs and lumber down the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill, entitled "An act declaring Oswegatchie river a public highway, and regulating the passage of

logs and lumber down the same, and for the improvement of said river," and numerous petitions relating to the subject matter of said bill, reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill, entitled "An act to extend the time for the collection of taxes in the town of North Dansville, Livingston county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act for the election of a fifth justice to reside in the village of Champlain, in the town of Champlain, in the county of Clinton," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of citizens of the village of Newburgh, praying for the passage of an act to amend an act relating to the police justice of that village, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act relating to the police justice of the village of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to pleadings in courts of record," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of inhabitants of Herkimer county, praying for the passage of a law that persons employed upon boats navigating the canals, may have a lien upon the boats for their services, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill, entitled "An act to provide for the appoint-

of commissioners of deeds in the city of Utica," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Benedict, from the committee on the judiciary, to which was referred the bill, entitled "An act as to estates in dower," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Benedict, from the committee on the judiciary, to which was referred the petition of sundry contractors and mechanics of Poughkeepsie, to amend the mechanic lien law, passed April 16, 1852, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the mechanic lien law, passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of inhabitants of the town of Covington, in the county of Wyoming, praying for a law to abolish grand juries and to elect petit jurors by the people, reported adversely to the prayer of the petitioner, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict, from the committee on banks, to which was referred the petition of citizens of Monroe county, authorising the savings banks of Rochester, to distribute the income of surplus funds, &c., reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of John Leonard Magee, praying for a law to change his name, reported adversely to the prayer of the petitioner and offered the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the annual report of the Commissioners of Emigration, for the use of this House, and 500 for the use of the Commissioners, reported in

favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 300 extra copies of the Auditor's report of expenditures of the canals, for the use of the Canal Department, and 3 copies each for the members and officers of the Legislature, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 1,000 extra copies of the annual report of the managers of the State Lunatic Asylum for the use of the managers, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 100 extra copies of the report and accompanying documents of the Canal Appraisers, on the claims of Jacob Graves, Charles J. Hill, and others, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Gibbs, from the committee on the judiciary, to which was referred the bill, entitled "An act to legalise the official acts of Warren H. Wright, as justice of the peace," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

The committee on claims, to which was referred the Senate bill, entitled "An act for the relief of Richard Niles," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages to which was referred the Senate bill, entitled "An act authorising the board of supervisors of the county of Kings, to create a loan to continue the erection of a penitentiary in said county, and to erect a wash house for the nursery buildings on the county farm, reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Seeley, from the committee on roads and bridges, to which was referred the petition of inhabitants of Malone, for an act authorising said town to loan money for the purpose of repaving, widening and enlarging the stone bridge across Salmon river in the village of Malone, in said town, reported, and asked and obtained leave to introduce a bill, entitled "An act to amend an act

entitled 'An act to authorise inhabitants of the town of Malone, to borrow money for the purpose of widening and improving the bridge over Salmon river, in said town,' passed March 1, 1852," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill, entitled "An act to authorise the mortgaging of the real estate of benevolent, charitable, scientific and missionary societies," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the select committee, consisting of the Onondaga delegation, to which was referred the bill, entitled "An act to provide for the straightening of the Onondaga creek, &c.," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hinckley, from the select committee, consisting of the Herkimer delegation, to which was referred the bill, entitled "An act to amend the charter of the village of Herkimer," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented the annual report of the harbor master of the port of Albany, for 1853," which was read and referred to the committee on commerce and navigation.

Mr. Speaker presented the second annual report of the New-York juvenile asylum, which was read and referred to the committee on charitable and religious societies.

The bill entitled "An act to extend the time for the collection of taxes in certain towns and cities in this State," coming up for its third reading,

On motion of Mr. Lozier, and by unanimous consent,

Said bill was amended by extending the provisions of the bill to the town of North Dansville.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{	AYES	85	}
{	NOES	01	}

Those who voted in the affirmative, are,

Angle	Cost	Hollenbeck	McMurray	Sharp
Aitken	Cumming	Howell	Mills	Sill
Bailey	Cushman	Hoyle	Mitchell	Speaker
S. Baldwin	Dawson	Mat. Hutchinson	Morris	Suffern
Barrow	Dewey	Mos. Hutchinson	Munroe	Thompson
Barton	A. A. Dunlop	Joy	Nelson	Thorn
Beers	R. Dunlap	Kinney	Noble	Townsend
Benedict	Edwards	Kirkland	Odell	Ward
Bennett	Fiero	Lee	Payne	Ware
Bergen	Freeman	Legg	Preston	Weed
Boardman	Germain	Leigh	Richards	Whitman
Bostwick	Gibbs	Littlejohn	Robertson	Wilson
Case	Graham	Lozier	Rose	Wilder
Chesebro	Hall	Maguire	Rowland	J. E. Willis
Cook	Harpur	Martin	Savage	Williams
Collins	Hinkley	May	Searing	D. P. Wood
Conkling	Holdridge	McGraw	Sessions	W. H. Wood 85

For the negative,

R. J. Baldwin

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Globe Insurance company, in the city of Utica," coming up for its third reading,

On motion of Mr. Boardman, and by unanimous consent,

Said bill was amended in the 9th line, 8th section, by inserting after the word "contract," the words "note or the rights or defences of the makers of any such contract or note; in or to the same, or any part of the same, or any of them."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	Mitchell	Sterling
Aitkin	Cumming	Hollenbeck	Morris	Suffern
Bailey	Cushman	Howell	Munroe	Thompson
Baker	Dawson	Hoyle	Nelson	Thorn
S. Baldwin	A. A. Dunlop	Mat. Hutchinson	Odell	Townsend
Barrow	R. Dunlap	Mos. Hutchinson	Peters	Underwood
Baucus	Edwards	Joy	Preston	Ward
Beers	Ferguson	Kinney	Richards	Whitman
Benedict	Fiero	Kirkland	Rowland	Wilson
Bergen	Freeman	Legg	Scott	Wilder
Boardman	Germain	Leigh	Searing	D. Willis
Brust	Gibbs	Littlefield	Sessions	J. E. Willis
Burgess	Gorham	Lozier	Sharp	Williams
Burnett	Gott	Maguire	Sheeley	Winne
Case	Graham	Mather	Speaker	D. P. Wood
Chesebro	Hall	McGraw	Stephens	W. H. Wood
Collins	Harpur	Mills		

83

For the negative,

Seeley

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to fix the salary of the Auditor of the Canal Department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cushman	Hull	Mitchell	Sessions
Bailey	Dawson	Mos Hutchinson	Morris	Sharp
R. J. Baldwin	Dewey	Kinney	Munroe	Sill
S. Baldwin	Edwards	Kirkland	Nelson	Speaker
Barrow	Ferguson	Lee	Odell	Stephens
Barton	Fiero	Legg	Palmer	Suffern
Backus	Freeman	Leigh	Payne	Thompson
Benedict	Graham	Littlefield	Peters	Thorn
Bennett	Hall	Littlejohn	Randall	Townsend
Bergen	Harris	Lozier	Richards	Underwood
Brust	Hatch	Maguire	Richardson	Ward
Burnett	Hinkley	Martin	Robertson	Weed
Case	Holdridge	May	Rose	Whipple
Chesebro	Hollenbeck	McGraw	Savage	Wilder
Cook	Howell	McMurray	Scott	J. E. Willis
Conkling	Hoyle	Mills	Searing	Winne
Cost				

81

For the negative,

Whitman

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess, in the penitentiary in the county of Albany, and to prescribe the punishment for certain offences," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Mat. Hutchinson	Mitchell	Sill
Bailey	Cushman	Mos. Hutchinson	Morris	Speaker

Backus	Dawson	Joy	Munroe	Stephens
S. Baldwin	Dewey	Kinney	Nelson	Sterling
Barrow	A. A. Dunlop	Kirkland	Odell	Suffern
Beers	B. Dunlap	Lee	Palmer	Thompson
Benedict	Edwards	Legg	Payne	Thorn
Bennett	Ferguson	Leigh	Peters	Townsend
Bergen	Fiero	Littlefield	Preston	Underwood
Boardman	Freeman	Littlejohn	Randall	Whipple
Bostwick	Germain	Lozier	Richards	Whitman
Boyd	Gleason	Maguire	Richardson	Wilson
Brust	Gott	Martin	Robertson	Wilder
Burgess	Graham	Mather	Rose	J. E. Willis
Burnett	Hall	McGraw	Rowland	Williams
Chesebro'	Harpur	McMurray	Savage	Winne
Cook	Harris	Mills	Scott	D. P. Wood
Conkling	Hinkley	L. Miller	Sessions	W. H. Wood
Cost	Howell	S. F. Miller	Seeley	

94

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorising the payment of an award to Harry Hall," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 97 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Collins	Holdridge	Mills	Sharp
Bailey	Conkling	Hollenbeck	G. Miller	Sheeley
Backus	Cost	Hull	S. F. Miller	Sill
R. J. Baldwin	Cumming	Mat. Hutchinson	Mitchell	Stephens
S. Baldwin	Cushman	Mos. Hutchinson	Morris	Sterling
Barrow	Dawson	Jenkins	Munroe	Suffern
Barton	A. A. Dunlop	Joy	Nelson	Thompson
Baucus	R. Dunlap	Kinney	Odell	Townsend
Benedict	Edwards	Kirkland	Payne	Ware
Bennett	Ferguson	Lee	Peters	Weed
Bergen	Fiero	Leigh	Preston	Whipple
Boardman	Freeman	Littlefield	Randall	Whitman
Bostwick	Germain	Littlejohn	Richards	Wilson
Boyd	Gibbs	Lozier	Richardson	Wilder
Brust	Gott	Maguire	Rose	D. Willis
Burgess	Graham	Martin	Rowland	J. E. Willis
Burnett	Hall	May	Scott	Winne
Case	Harpur	McGraw	Searing	D. P. Wood
Clinton	Harris	McMurray	Seeley	W. H. Wood
Cook	Hinkley			

97

For the negative,

Sessions

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved to reconsider the vote just taken, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters to lay upon the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Peters to reconsider, and it was determined in the negative.

{ AYES 37 }
{ NOES 46 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Backus	Dewey	Kinney	Munroe	Scott
Bergen	Fiero	Leigh	Nelson	Sessions
Burnett	Freeman	Martin	Odell	Suffern
Chesebro	Gorham	May	Palmer	Underwood
Clinton	Harpur	McGraw	Peters	Ward
Conkling	Howell	S. F. Miller	Randall	Whitman
Cost	Hoyle	Morris	Rose	W. H. Wood
Cumming	Mos. Hutchinson			

37

Those who voted in the negative are,

Angle	Cushman	Hatch	Littlefield	Seeley
R. J. Baldwin	Dawson	Hinckley	Littlejohn	Sharp
S. Baldwin	R. Dunlap	Hollenbeck	Lozier	Sheeley
Barrow	Edwards	Hull	McMurray	Sill
Barton	Ferguson	Mat. Hutchinson	G. Miller	Sterling
Baucus	Gott	Joy	Mitchell	Townsend
Benedict	Graham	Kirkland	Payne	Wilder
Boardman	Hall	Lee	Rowland	Williams
Brust	Harris	Legg	Savage	Winne
Collins				

46

The bill entitled "An act to authorise the Rome and Oswego road company to abandon portions of their road," coming up for its third reading,

On motion of Mr. Littlejohn, and by unanimous consent,

Said bill was amended in the 2d section, 1st line, by inserting after the word "abandoned," the words "of which no continuous portion shall be less than nine miles in length, unless by the consent of the board of supervisors."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	McGraw	Seeley
Aitken	Conkling	Hollenbeck	McMurray	Sharp
Backus	Cost	Howell	Mills	Sheeley
R. J. Baldwin	Cumming	Hull	S. F. Miller	Sill

S. Baldwin	Dawson	Mat. Hutchinson	Morris	Speaker
Barrow	A. A. Dunlap	Mos. Hutchinson	Munroe	Stephens
Barton	R. Dunlap	Joy	Noble	Suffern
Baucus	Edwards	Kinney	Odell	Thompson
Beers	Ferguson	Kirkland	Palmer	Underwood
Benedict	Fiero	Lee	Payne	Ward
Bergen	Freeman	Legg	Peters	Weed
Boardman	Germain	Leigh	Richardson	Whipple
Bostwick	Hall	Littlefield	Rowland	Wilder
Boyd	Harpur	Littlejohn	Savage	D. Willis
Brust	Harris	Lozier	Scott	Winne
Burnett	Hatch	Maguire	Searing	W. H. Wood
Clinton	Hinkley	May	Sessions	84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act in relation to the powers and duties of the trustees of the village of Walton,' passed June 21, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	McMurray	Seeley
Aitken	Cook	Holdridge	Mills	Sill
Bailey	Collins	Hollenbeck	G. Miller	Smalley
Backus	Conkling	Hewell	S. F. Miller	Speaker
R. J. Baldwin	Cost	Hull	Mitchell	Stephens
S. Baldwin	Cumming	Mat. Hutchinson	Morris	Sterling
Barrow	Cushman	Mos. Hutchinson	Munroe	Suffern
Barton	Dawson	Jenkins	Nelson	Thompson
Baucus	A. A. Dunlap	Joy	Noble	Townsend
Beers	R. Dunlap	Kinney	Odell	Underwood
Benedict	Edwards	Kirkland	Palmer	Ward
Bennett	Ferguson	Lee	Peters	Ware
Bergen	Fiero	Legg	Randall	Weed
Boardman	Freeman	Leigh	Richardson	Whipple
Bostwick	Germain	Littlefield	Robertson	Wilder
Boyd	Gott	Littlejohn	Rowland	J. E. Willis
Brust	Graham	Lozier	Savage	Williams
Burgess	Hall	Maguire	Scott	Winne
Burnett	Harpur	Martin	Searing	D. P. Wood
Case	Harris	May	Sessions	W. H. Wood
Chesebro	Hatch	McGraw		108

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act permitting the inhabitants of the several towns in the county of Sullivan, to decide by vote at their annual town meeting whether they will have one or three assessors for each town in said county," coming up for its third reading,

On motion of Mr Benedict, and by unanimous consent,

Said bill was amended by adding at the end of the first section the words "and in case any town decide to have but one assessor, in that case he shall be elected annually."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Holdridge	Mills	Shreeley
Aitkin	Cook	Hollenbeck	Mitchell	Sill
Bailey	Collins	Mat. Hutchinson	Munroe	Speaker
Backus	Conkling	Mos. Hutchinson	Noble	Stephens
R. J. Baldwin	Cost	Joy	Palmer	Sterling
S. Baldwin	Cushman	Kinney	Payne	Suffern
Barrow	Dawson	Kirkland	Peters	Thompson
Baucus	R. Dunlap	Lee	Randall	Townsend
Beers	Edwards	Leigh	Richards	Ware
Benedict	Freeman	Littlefield	Richardson	Weed
Bennett	German	Littlejohn	Robertson	Whipple
Boardman	Gorham	Lozier	Rowland	Whitman
Boyd	Gott	Maguire	Savage	Wikler
Brust	Hall	May	Scott	Winne
Burgess	Harpur	McGraw	Sessions	D. P. Wood
Chesebro	Hinkley	McMurray	Seeley	W. H. Wood 20

For the negative,

Bergen

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The Senate bill entitled "An act to divide the sixth judicial district of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hollenbeck	Mitchell	Speaker
Aitken	Conkling	Hoyle	Munroe	Stephens
Bailey	Cumming	Hull	Nelson	Sterling
Baker	Cushman	Mat. Hutchinson	Noble	Suffern
Backus	Dawson	Mos. Hutchinson	Odell	Thompson
R. J. Baldwin	Dewey	Jenkins	Palmer	Townsend
S. Baldwin	A. A. Dunlop	Kinney	Peters	Underwood
Barrow	R. Dunlap	Kirkland	Preston	Ward
Baucus	Edwards	Lee	Randall	Ware
Beers	Ferguson	Legg	Richards	Weed

Benedict	Freeman	Leigh	Richardson	Whipple
Bennett	Germain	Littlefield	Robertson	Whitman
Bergen	Gibbs	Lozier	Roe	Wilson
Boardman	Gott	Martin	Rowland	Wilder
Bostwick	Graham	May	Savage	D. Willis
Brust	Harpur	McGraw	Scott	J. E. Willis
Burgess	Harris	McMurray	Sessions	Williams
Chesebro	Hatch	Mills	Seeley	D. P. Wood
Clinton	Hinkley	L. Miller	Sill	W. H. Wood
Cook	Holdridge			

97

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Mariners' Savings Institution in the city of New-York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Cumming	Hollenbeck	Munroe	Sill
Bailey	Cushman	Howell	Noble	Speaker
R. J. Baldwin	Dewey	Hoyle	Odell	Stephens
Barrow	A. A. Dunlop	Mat. Hutchinson	Palmer	Sterling
Beers	R. Dunlap	Mos. Hutchinson	Payne	Suffern
Benedict	Edwards	Kinney	Peters	Townsend
Bennett	Fiero	Kirkland	Preston	Ward
Bergen	Freeman	Lee	Richards	Whipple
Boardman	Germain	Legg	Richardson	Whitman
Bostwick	Gott	Leigh	Robertson	Wilson
Boyd	Graham	Littlefield	Rowland	Wilder
Brust	Harpur	May	Savage	D. Willis
Burgess	Harris	McGraw	Searing	J. E. Willis
Chesebro	Hatch	McMurray	Sessions	Winne
Cook	Hinkley	Mills	Seeley	D. P. Wood
Conkling	Holdridge	Mitchell	Sharp	W. H. Wood
Cost				

81

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act to repeal the charter of the Canaan and Union Village turnpike road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cumming	Hall	Munroe	Suffern
Altken	Cushman	Mat. Hutchinson	Noble	Thompson

Bailey	Dewey	Mos. Hutchinson	Odell	Townsend
Backus	A. A. Dunlop	Joy	Palmer	Underwood
R. J. Baldwin	Edwards	Kinney	Peters	Ward
S. Baldwin	Ferguson	Kirkland	Randall	Ware
Barrow	Fiero	Lee	Richards	Weed
Beers	Freeman	Leigh	Robertson	Whipple
Benedict	Germain	Littlefield	Searing	Whitman
Bennett	Gibbs	Lozier	Sessions	Wilson
Bergen	Gott	Martin	Seeley	Wilder
Brust	Graham	May	Sharp	D. Willis
Burgess	Hall	McGraw	Sill	J. E. Willis
Clinton	Harpur	McMurray	Smalley	Williams
Cook	Harris	Mills	Speaker	Winne
Conkling	Hinkley	G. Miller	Stephens	D. P. Wood
Cost	Hollenbeck	Mitchell	Sterling	W. H. Wood 86

For the negative,

Boardman

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lots sold Peter Smith, made any mistake in measuring or computing the same, and if so to correct the same," coming up for its third reading,

On motion of Mr. Lozier, and by unanimous consent,

Said bill was amended by striking out the word "for" from the last line of the first section.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 55 }
{ NOES 27 }

Those who voted in the affirmative are,

Backus	Cook	Gott	Leigh	Sessions
R. J. Baldwin	Conkling	Harpur	Littlefield	Sharp
S. Baldwin	Cost	Harris	Martin	Stephens
Barton	Cumming	Hinkley	McGraw	Townsend
Beers	Cushman	Howell	Mills	Weed
Benedict	Dawson	Hull	G. Miller	Whipple
Bennett	Dewey	Mat. Hutchinson	Mitchell	Wilson
Bergen	R. Dunlap	Mos. Hutchinson	Noble	Wilder
Bestwick	Ferguson	Kinney	Odell	Williams
Brust	Fiero	Kirkland	Randall	Winne
Burgess	Freeman	Lee	Searing	D. P. Wood 55

Those who voted in the negative are,

Angle	Edwards	McMurray	Richardson	Suffern
Aitken	Hatch	Munroe	Savage	Ward
Bailey	Joy	Payne	Seeley	Whitman
Barrow	Legg	Peters	Sill	D. Willis
Boardman	Lozier	Preston	Speaker	W. H. Wood 27
Clinton	May			

Mr. R. J. Baldwin moved that the present order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. J. Baldwin, and it was determined in the negative.

Mr. Lozier moved that the final vote on the bill last read be reconsidered, and that said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

The bill entitled "An act for the relief of John Brown, of Perrington," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 10 }

Those who voted in the affirmative are,

Angle	Clinton	Gott	May	Seeley
Aitken	Cook	Graham	McGraw	Sharp
Bailey	Collins	Hall	McMurray	Sill
Backus	Conkling	Harpur	G. Miller	Stephens
R. J. Baldwin	Cost	Harris	Mitchell	Sterling
S. Baldwin	Crocheron	Hull	Munroe	Suffern
Barrow	Cummings	Mat. Hutchinson	Nelson	Thompson
Barton	Cushman	Mos. Hutchinson	Noble	Townsend
Baucus	Dawson	Joy	Odell	Weed
Beers	Dewey	Kinney	Palmer	Wilson
Benedict	R. Dunlap	Kirkland	Payne	Wilder
Bennett	Edwards	Lee	Randall	D. Willis
Bergen	Ferguson	Leigh	Richardson	J. E. Willis
Boardman	Fiero	Littlefield	Scott	Williams
Bostwick	Freeman	Littlejohn	Searing	Winne
Brust	Germain	Lozier	Sessions	D. P. Wood
Burgess	Gibbs			

82

Those who voted in the negative are,

Burnett	Legg	Savage	Ward	Whitman
Hinkley	Peters	Speaker	Ware	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increase of compensation for work done by him in abating a nuisance on State lands, in the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 22 }
{ NOES 49 }

Those who voted in the affirmative are,

Bailey	Bostwick	Hollenbeck	Odell	Sheeley
S. Baldwin	Clinton	Mat. Hutchinson	Richardson	Speaker
Barrow	Fergusen	Kirkland	Robertson	Wilson
Baucus	Gott	Mills	Seeley	J. E. Willis
Bergen	Hall			

22

Those who voted in the negative are,

Angle	Cushman	Hatch	Noble	Thompson
Aitkin	Dawson	Hinkley	Palmer	Townsend
Barton	Dewey	Hull	Peters	Ward
Beers	R. Dunlap	Mos. Hutchinson	Preston	Whitman
Brust	Edwards	Lee	Randall	Wilder
Burnett	Fiero	Legg	Rose	D. Willis
Cook	Freeman	Leigh	Savage	Winne
Conkling	Gorham	Littlefield	Searing	D. P. Wood
Cost	Harpar	McGraw	Sessions	W. H. Wood
Cumming	Harris	McMurray	Suffern	

49

At fifteen minutes to two o'clock p. m., the hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

SATURDAY, FEBRUARY 25, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of yesterday were read and approved.

By unanimous consent,

Mr. D. P. Wood moved that the final vote upon the bill read last yesterday, be reconsidered.

On motion of Mr. Peters,

Said motion was laid upon the table.

On motion of Mr. Edwards, and by unanimous consent,

Resolved, That the bill to amend an act entitled "An act to increase the number of wards and ward officers in the city of Troy," be referred to a select committee consisting of the delegation from the county of Rensselaer, to report complete.

On motion of Mr. Littlejohn,

Leave of absence was granted to Mr. Wart during his present sickness.

On motion of Mr. Burnett, and by unanimous consent,

The committee on the judiciary was discharged from a further consideration of the bill, entitled "An act to amend section one, of an act to protect side-walks along highways, passed May 10, 1836," and said bill was referred to the committee on roads and bridges.

By unanimous consent,

Mr. Burnett moved that the judiciary committee be discharged from a further consideration of the petition of some four hundred inhabitants of Seneca co., for a more stringent law to prevent gaming on the Sabbath.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Mr. Speaker announced as the order of business, presentation of petitions.

On motion of Mr. Peters,

That order of business was laid on the table.

Mr. Thorn, from the committee on colleges, academies, and common schools, to which was referred the Senate bill, entitled "An act to incorporate the American geographical and statistical society," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law.

On motion of Mr. Conkling,

The report was laid upon the table.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of citizens of Middleport, Niagara co., praying for the erection of a bridge across the canal in that place, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of Francis J. Levalley, and others, praying for a law to enlarge the Eighteen mile creek, reported that they have had the same under consideration, and finding further information necessary, offered the following resolution:

Resolved, That the petition of F. J. Levalley, and others, for the improvement of the Eighteen mile creek, be referred to the Canal Board with instructions to report the facts in the case to the House at an early day.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Germain, from the committee on commerce and navigation, to which was referred the petition of sundry inhabitants of Oneida, Herkimer, Hamilton and Lewis counties, praying for an appropriation to improve West Canada creek, reported, and asked and obtained leave to introduce a bill entitled "An act declaring a part of West Canada creek and its branches a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said stream," which was read the first

time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Moseley Hutchinson, from the committee on colleges, academies and common schools, to which was referred the petition of inhabitants of the village of Sing Sing, praying for a law to establish free schools therein, reported, and asked and obtained leave to introduce a bill, entitled "An act to establish free schools in the village of Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill, entitled "An act to incorporate the Ontario and Livingston mutual insurance company," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill, entitled "An act to amend an act, entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts,' passed July 19, 1853," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Greene county, praying for more equitable assessment laws, reported, and asked to be discharged from its further consideration, and that the same be referred to the committee of the whole having charge of the subject, which report was agreed to.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act creating a permanent board of commissioners for making estimates and assessments for opening, widening, or otherwise improving avenues and streets, and for making, laying out or otherwise improving any public park or other public ground in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill, entitled "An act relating to county superintendents of the poor," reported that the committee had examined said bill, made sundry amendments

thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhabitants of the town of Morris, praying for a change of the name of said town, reported, and asked and obtained leave to introduce a bill entitled "An act changing the name of the town of Morris, in the county of Otsego, to the name of Hillington," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Williams, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to excise money in the county of Orleans," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Cortlandt county, praying for the extension of the mechanics' lien law, of Richmond county, reported and asked and obtained leave to introduce a bill entitled "An act to extend the provision of the mechanics' lien law of Richmond co., to Cortlandt," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Williams, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Albany, made by the loan commissioner, or either of them in said county," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be engrossed for a third reading.

Mr. Harris, from the committee on militia and public defence, to which was referred the bill, entitled "An act to authorise the transfer of the military commutation funds in regimental districts where there has been no organization under the military law of 1851, to the State treasury to be applied to the payment of the militia who have performed camp service in the organised districts," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Harris, from the committee on militia and public defence, to which was referred so much of the Governor's message as re-

lates to the militia, reported and, asked and obtained leave to bring in a bill entitled "An act to authorise the transfer of the military commutation funds in regimental districts where there has been no organization under the military law of 1851, to the State treasury, to be applied for the benefit of the militia who have performed camp service in the organized districts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of John Dellenbeck, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of John Dellenbeck," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the President and Secretary of the Saratoga and Schenectady bridge company, praying for an act to amend an act entitled "An act to incorporate the Saratoga bridge company," reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Saratoga and Schenectady bridge company,' passed April 2, 1836," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hallenbeck, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act authorising highway labor to be expended on the Half Moon and Clifton Park plank road, in the county of Saratoga," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the petition of inhabitants of Onondaga county, praying for a law to provide for the survey of the Onondaga Indian reservation, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the survey of the Onondaga Indian reservation, and erect permanent boundaries," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the petition of inhabitants of Onondaga county, praying for a law to prevent the destruction of timber on the wood lands of the Onondaga Indian reservation, reported, and asked and obtained leave to bring in a bill entitled "An act to prevent the destruction of timber on the wood lands on the Onondaga Indian reservation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hall, from the select committee to which was referred the memorial and resolutions of the town of Oswegatchie, in the county of St. Lawrence, asking for a law authorising said town to elect two additional assessors, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the town of Oswegatchie to elect two additional assessors," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Benedict asked to be excused from further service on the judiciary committee, which was granted.

Mr. Speaker announced the following appointments on committees:

Mr. W. H. Wood on the judiciary committee, in the place of Mr. Clark.

Mr. Angle on the same committee, in the place of Mr. Benedict.

Mr. Maguire on the committee on engrossed bills, in the place of Mr. W. H. Wood.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to provide for the payment of a judgment recovered against the agents of the Sing Sing prison by Zalmon J. McMaster and Joel T. Merritt."

"An act for the relief of the Port Richmond and Fresh Kills plank road company."

Mr. Speaker presented a communication from the Auditor in relation to the amount awarded to Edward Murray by the Canal Board, under two several acts passed in 1853.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to extend the time for the collection of taxes in certain towns and cities in this State."

Mr. Benedict moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Cost	Harris	Maguire	Sessions
Bailey	Cumming	Hatch	Mallory	Sill
Backus	Cushman	Hinkley	Mather	Speaker
B. J. Baldwin	Dawson	Hollenbeck	McGraw	Stephens
S. Baldwin	Dewey	Howell	McMurray	Suffern
Barton	A. A. Dunlop	Hoyle	G. Miller	Thompson

Beers	R. Dunlap	Hull	L. Miller	Thorn
Benedict	Edwards	Mat. Hutchinson	Mitchell	Townsend
Bennett	Fiero	Mos. Hutchinson	Noble	Underwood
Bergen	Freeman	Joy	Odell	Ward
Boatwick	Germain	Kinney	Palmer	Weed
Burgess	Gibbs	Lee	Payne	J. E. Willis
Chesebro	Gorham	Legg	Peters	Winne
Clinton	Gott	Leigh	Preston	D. P. Wood
Cook	Hall	Littlejohn	Richards	W. H. Wood
Conkling	Harpur	Lozier		

78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in said amendments, and amended the same accordingly.

The Assembly bill, entitled "An act to authorise the town of Lenox, to raise money by tax for road purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Harris	Maguire	Sessions
Bailey	Cumming	Hatch	Mather	Seeley
Beckus	Cushman	Hinkley	McGraw	Sill
R. J. Baldwin	Dawson	Holdridge	McMurray	Speaker
S. Baldwin	Dewey	Hollenbeck	G. Miller	Stephens
Barton	A. A. Dunlop	Howell	E. Miller	Suffern
Beers	R. Dunlap	Hoyle	S. F. Miller	Thompson
Benedict	Edwards	Mat. Hutchinson	Noble	Townsend
Bennett	Ferguson	Mos. Hutchinson	Odell	Ward
Bergen	Fiero	Kinney	Palmer	Ware
Boatwick	Freeman	Kirkland	Peters	Weed
Burgess	Germain	Lee	Preston	Whitman
Burnett	Gibbs	Legg	Randall	D. Willis
Chesebro	Gleason	Leigh	Richards	Williams
Clinton	Hall	Littlejohn	Rose	Winne
Cook	Harpur	Lozier	Rowland	W. H. Wood
Conkling				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Assembly bill, entitled "An act to incorporate the Rose Hill savings bank, coming up for its third reading,

Mr. Randall moved to recommit to the committee of the whole, for the purpose of making the following amendments : to strike out the words "as such" in the third section ; to strike out "city stocks" in the sixth section ; to add a section requiring security of trustees for such sums as may be allowed to be kept on deposit, on interest, or otherwise, in the sixth section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Randall, and it was determined in the negative.

On motion of Mr. Littlejohn,

Said bill was recommitted to a select committee to report the same forthwith complete.

Mr. Speaker announced as such committee, Messrs. Littlejohn, Cumming and Hinckley.

The Senate bill, entitled "An act to amend an act for the relief of Samuel Bell, and Washington A. H. Bogardus," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Dawson	Hinkley	McMurray	Stephens
Bailey	Dewey	Holdridge	Mitchell	Suffern
R. J. Baldwin	A. A. Dunlop	Hollenbeck	Nelson	Thorn
S. Baldwin	R. Dunlap	Howell	Noble	Townsend
Barrow	Edwards	Mat. Hutchinson	Odeil	Underwood
Barton	Ferguson	Mos. Hutchinson	Palmer	Ward
Beers	Fiero	Kinney	Peters	Ware
Benedict	Freeman	Kirkland	Preston	Weed
Bennett	Germain	Lee	Richards	Whipple
Bergen	Gibbs	Legg	Robertson	Wilson
Bostwick	Gleason	Leigh	Rowland	D. Willis
Burgess	Gott	Lozier	Sessions	J. E. Willis
Cook	Hall	Maguire	Seeley	Winne
Conkling	Harpur	Mallory	Sill	D. P. Wood
Cumming	Harris	Mather	Speaker	W. H. Wood
Cushman	Hatch	McGraw		78

Those who voted in the negative are,

Clinton	Martin	Whitman	3
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill, entitled "An act for the relief of Joseph Willis, Lemuel French, John Shirley, Lyman Mills, and William Pillmore," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 10 }

Those who voted in the affirmative are,

Angle	Dawson	Hollenbeck	S. F. Miller	Speaker
Bailey	Dewey	Hull	Mitchell	Stephens
Backus	A. A. Dunlop	Mat. Hutchinson	Nelson	Suffern

S. Baldwin	R. Dunlap	Mos. Hutchinson	Odell	Thompson
Barrow	Edwards	Joy	Palmer	Thorn
Barton	Ferguson	Kinney	Payne	Townsend
Beers	Fiero	Kirkland	Peters	Ward
Benedict	Freeman	Leigh	Preston	Ware
Bennett	Germain	Littlejohn	Richards	Whitman
Bergen	Gott	Lozier	Robertson	Wilson
Burgess	Graham	Maguire	Rose	D. Willis
Cook	Hall	Mallory	Rowland	J. E. Willis
Collins	Harpur	Mather	Sessions	Williams
Conkling	Harris	McMurray	Seeley	D. P. Wood
Cumming	Hinkley	L. Miller	Sill	J. S. Wood
Cushman				

75

Those who voted in the negative are,

R. J. Baldwin	Clinton	Lee	McGraw	Winne
Cheesebro	Hatch	Martin	Richardson	W. H. Wood 19

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Littlejohn, from the select committee, to which was referred the bill entitled "An act to incorporate the Rose Hill Savings bank," with instructions to make certain specific amendments thereto, with power to report the same complete forthwith, reported the same complete with amendments.

On motion of Mr. Peters, and by unanimous consent,

Said bill was amended in section 10, by inserting after "purpose," "or any depositor in such corporation."

On motion of Mr. Cumming, and by unanimous consent,

Strike out the words "as such" in section 3, and add at the end of section 6, the words "provided, however, that no loan shall be made under this section, upon any stocks or securities whatever, to a greater amount than three-fourths of the actual cash value of such stocks or securities, at the time of making such loan."

The bill, entitled "An act to authorize the New-York and Erie bank to change its place of business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hollenbeck	S. F. Miller	Seeley
Bailey	Conkling	Mat. Hutchinson	Mitchell	Suffern
R. J. Baldwin	Cushman	Mos. Hutchinson	Nelson	Thompson
S. Baldwin	Dawson	Joy	Odell	Thorn
Barrow	Dewey	Kinney	Palmer	Townsend
Barton	A. A. Dunlop	Kirkland	Payne	Ward
Beers	R. Dunlap	Lee	Peters	Ware
Benedict	Fiero	Legg	Preston	Whitman
Bergen	Freeman	Leigh	Randa	Wilson
Boyd	Germain	Littlejohn	Richards	Williams
Burgess	Gibbs	Lozier	Richardson	Winne

Burnett	Harpur	Mather	Robertson	D. P. Wood
Chesebro	Harris	McGraw	Rowland	J. S. Wood
Clinton	Hinkley	McMurray	Sessions	W. H. Wood
Cook				

71

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the city of Utica, to borrow money to finish and furnish the City Hall in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 88 {
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Hoyle	S. F. Miller	Stephens
Bailey	Cushman	Hull	Mitchell	Suffern
Backus	Dewey	Mat. Hutchinson	Nelson	Thompson
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Noble	Thorn
Barrow	R. Dunlap	Kinney	Odell	Townsend
Barton	Edwards	Kirkland	Palmer	Underwood
Baucus	Freeman	Lee	Payne	Ward
Beers	Germain	Legg	Peters	Ware
Benedict	Gibbs	Leigh	Preston	Whipple
Bennett	Gleason	Littlejohn	Randall	Whitman
Bergen	Gott	Lozier	Richards	Wilson
Boyd	Hall	Maguire	Richardson	D. Willis
Burgess	Harpur	Mallory	Robertson	J. E. Willis
Burnett	Harris	Martin	Rose	Winne
Clinton	Hatch	McGraw	Sessions	D. P. Wood
Cook	Hinkley	McMurray	Sill	J. S. Wood
Conkling	Hollenbeck	G. Miller	Speaker	W. H. Wood
Cost	Howell	L. Miller		

88

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill, entitled "An act to amend the act incorporating the village of Sing Sing," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 {
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	Morris	Thompson
Bailey	Cushman	Mat. Hutchinson	Odell	Thorn
Backus	A. A. Dunlop	Mos. Hutchinson	Peters	Townsend
R. J. Baldwin	R. Dunlap	Kirkland	Preston	Underwood
S. Baldwin	Edwards	Lee	Randall	Ward
Barrow	Ferguson	Legg	Richards	Ware
Beers	Fiero	Littlejohn	Robertson	Weed
Benedict	Freeman	Maguire	Rose	Whitman

Bennett	Germann	Mallory	Rowland	Wilson
Bergen	Gott	Mather	Sessions	J. E. Willis
Bostwick	Hall	McGraw	Seeley	Williams
Burgess	Harpur	McMurray	Sheeley	Winne
Clinton	Harris	G. Miller	Sill	D. P. Wood
Cook	Hatch	L. Miller	Speaker	J. S. Wood
Collins	Hinckley	S. F. Miller	Suffern	W. H. Wood
Conkling	Hollenbeck	Mitchell		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the straightening of the Onondaga creek, and draining certain low lands near the southerly bounds of the city of the corporation of the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Harpur	McGraw	Sessions
Bailey	Cumming	Harris	McMurray	Speaker
Backus	Dawson	Hatch	G. Miller	Suffern
S. Baldwin	Dewey	Hinkley	L. Miller	Thompson
Barrow	A. A. Dunlop	Hoyle	S. F. Miller	Thorn
Barton	R. Dunlap	Mat. Hutchinson	Mitchell	Townsend
Beers	Edwards	Mos. Hutchinson	Nelson	Underwood
Benedict	Ferguson	Kinney	Odell	Ward
Bennett	Fiero	Kirkland	Palmer	Ware
Bergen	Freeman	Lee	Peters	Weed
Bostwick	Germann	Legg	Preston	Whitman
Burgess	Gibbs	Leigh	Randall	Wilson
Burnett	Gleason	Littlejohn	Richards	Winne
Chesbro'	Gorham	Maguire	Robertson	D. P. Wood
Clinton	Gott	Mallory	Rose	J. S. Wood
Cook	Hall	Mather	Rowland	W. H. Wood
Collins				

81

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to provide for the election of a fifth justice of the peace in the town of Lenox, in the county of Madison, and for the future election of five justices' of the peace in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
 { NOES 01 }

Those who voted in the affirmative, are,

Angle	Dewey	Hull	L. Miller	Sharp
Bailey	A. A. Dunlop	Mat. Hutchinson	S. F. Miller	Sill
S. Baldwin	R. Dunlap	Mo. Hutchinson	Mitchell	Speaker
Benedict	Fiero	Kinney	Noble	Suffern
Bennett	Freeman	Kirkland	Odell	Thorn
Bergen	Germain	Lee	Palmer	Underwood
Burgess	Gibbs	Legg	Payne	Ward
Burnett	Gleason	Leigh	Peters	Ware
C. Cesebro	Hall	Littlejohn	Preston	Whitman
Clinton	Harpur	Maguire	Randall	Wilson
Collins	Hatch	Mallory	Richards	Winne
Conkling	Hinkley	McGraw	Robertson	D. P. Wood
Cumming	Hollenbeck	McMurray	Rose	J. S. Wood
Dawson	Howell	G. Miller	Rowland	W. H. Wood 70

For the negative,

B. J. Baldwin

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Bergen, and by unanimous consent,

The Senate bill, entitled "An act authorising the board of supervisors of Kings co., to continue the erection of a penitentiary in said county, and to erect a wash house for the nursery buildings of the county poor house," was taken from the committee of the whole, and referred to a select committee of the Kings co., delegation, to report complete.

On motion of Mr. Angle,

The committee of the whole was discharged from the consideration of the bill, entitled "An act further to amend the charter of the city of Rochester," and the said bill was referred to the Monroe delegation to report complete.

On motion of Mr. Hatch,

The committee of the whole was discharged from the consideration of the following entitled bills:

"An act to provide additional compensation to jurors in attendance upon courts of record in Erie county."

"An act to provide additional compensation of justices of sessions designated to hold courts of sessions in the county of Erie."

Said bills were referred to the Erie delegation, as a select committee to report complete.

By unanimous consent,

Mr. Burnett presented a memorial of David Jones a British subject, which was read and referred to the committee on the judiciary.

The Senate bill, entitled "An act to amend the charter of St. Luke's hospital in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hatch	Mather	Suffern
Bailey	Cumming	Hinkley	McGraw	Thorn
Backus	Dawson	Hollenbeck	L. Miller	Townsend
R. J. Baldwin	A. A. Dunlap	Howell	Mitchell	Underwood
S. Baldwin	R. Dunlap	Hoyle	Odell	Ward
Barrow	Ferguson	Hull	Palmer	Ware
Beers	Fiero	Mos. Hutchinson	Peters	Weed
Benedict	Freeman	Kinney	Richards	Whitman
Bennett	Germain	Kirkland	Robertson	Wilson
Bergen	Gibbs	Lee	Sessions	D. Willis
Burgess	Gleason	Leigh	Seeley	Winne
Burnett	Gott	Maguire	Sill	D. P. Wood
Chesebro	Hall	Mallory	Speaker	J. S. Wood
Clinton	Harpur	Martin	Stephens	W. H. Wood
Cook				

71

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. S. Baldwin gave notice that he would at an early day ask leave to introduce a bill authorising the refunding of money to Mathew M. Roberts, on account of mistake in its application when paid into the treasury by him.

Mr. Chesebro gave notice that he would at some future day ask leave to introduce a bill to repeal the law passed June 30, 1853, entitled "An act to facilitate the service of process in certain cases."

Mr. Legg gave notice that he would at some future day ask leave to introduce a bill to incorporate a picayune savings bank, in the village of Owego, Tioga co.

Mr. Bennett gave notice that he would at an early day ask leave to introduce a bill for the relief of George W. Willard.

Mr. Conkling gave notice that he would at an early day ask leave to introduce a bill to incorporate the Hebrews' Female Benevolent Society of the congregation of Shearith Israel, in the city of New-York.

Mr. R. Dunlap gave notice that he would, on Monday, move to suspend the 4th rule, for the purpose of taking an act to incorporate the Niagara Falls water works company from the committee of the whole, to have it referred to the Niagara delegation, with power to report complete.

Mr. Conkling gave notice that he would at an early day ask leave to introduce a bill for the relief of Ellen Kenney.

Mr. Lee gave notice that he would at an early day ask leave to introduce a bill for the protection of fish in the Oronon river.

Mr. Conkling gave notice that he would at an early day ask leave to introduce a bill to change the name of Campbell Pink-

ney White, now of the city of New-York, but late of the city of Baltimore, to Campbell White Pinkney.

Mr. Randall gave notice that he would at some future day ask leave to introduce a bill to confirm the acts of the commissioners appointed to organize and preside over the election of town officers, in the town of Horseheads.

Mr. Barrow gave notice that he would at an early day ask leave to introduce a bill defining the powers of boards of supervisors in certain cases.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to amend the general railroad law, in reference to the making up of trains on railroads.

Mr. Edwards gave notice that he would at an early day ask leave to introduce a bill relating to assessment and taxation of the lands of railroad companies.

Mr. Backus gave notice that he would at some future day ask leave to introduce a bill to incorporate companies for the improvement of real estate.

Mr. Case gave notice that he would at an early day ask leave to introduce a bill to amend the general plank road law.

Mr. Hatch gave notice that he would at some future day ask leave to introduce a bill to provide for the regulation of the speed of locomotive engines, and other railroad vehicles, along streets and highways in the several cities, villages and towns of this State.

Mr. Winne gave notice that he would at an early day ask leave to introduce a bill to authorise the board of supervisors of the county of Schenectady, to levy a tax upon the town of Rotterdam, in said county, for highway purposes.

Mr. McMurray gave notice that he would at an early day ask leave to introduce a bill providing for classification and enumeration of insects, and for the appointment of a commissioner for that purpose.

Mr. Winne gave notice that he would at some future day ask leave to introduce a bill relative to the support of the poor of the county of Schenectady.

Mr. Leigh gave notice that he would at some future day ask leave to introduce a bill for the more effectual suppression of gambling, and the sale of lottery tickets and lottery policies, in the city of New-York.

Mr. Weed gave notice that he would at an early day ask leave to introduce "An act in relation to, and reducing the several acts relating to the district courts in the city of New-York, into one act."

Mr. Morris gave notice that he would at an early day ask leave to introduce a bill to amend "An act to authorise the formation of corporations for ferry purposes," passed April 9, 1853.

Mr. Germain gave notice that he would at an early day ask

leave to introduce a bill entitled "An act for the appraisement of canal damages of Joel W. White."

Mr. Littlejohn gave notice that he would at an early day ask leave to introduce a bill to incorporate the Oswego city library.

Mr. Peters gave notice that he would, at an early day, ask leave to introduce a bill for the repeal of the act incorporating the Atlantic and Pacific railroad.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act authorising the Bridgewater and Utica plank road company to sell or abandon their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Legg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act authorising the purchase of Knapp and Rightmeyer's practical school copy books, in 14 numbers; also ornamental penmanship, in 5 books," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. R. J. Baldwin asked and obtained leave to introduce a bill entitled "An act to defray the expense of printing ballots for the extra election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public printing.

By unanimous consent,

Mr. Hull asked and obtained leave to introduce a bill entitled "An act to authorise the formation of town mutual insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

In pursuance of previous notice, Mr. Barrow asked and obtained leave to introduce a bill entitled "An act to authorise the Flushing and Newtown turnpike road and bridge company to reduce their rates of toll, and to purchase additional real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Mallory asked and obtained leave to introduce a bill entitled "An act to amend section 35, of chapter 140, of the Laws

of 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Scott asked and obtained leave to introduce a bill entitled "An act to enable the Seneca and Wayne plank road company to remove a toll gate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Leigh asked and obtained leave to introduce a bill entitled "An act to incorporate the Tract Society of the Methodist Episcopal church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the establishment of union schools,' passed June 8, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act defining the powers and responsibilities of marine inland navigation and fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent,

Mr. Mallory asked and obtained leave to bring in a bill entitled "An act authorising and requiring the county of Dutchess to pay to the county of Putnam the expenses of the trial of William Louvers, for murder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Miller asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to the proof of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baldwin asked and obtained leave to introduce a bill entitled "An act to incorporate the Oxford Academy Boarding Association," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. D. P. Wood asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse savings institutions,' passed March 30, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Angle asked and obtained leave to introduce a bill entitled "An act to provide for the appointment of a State paper, and for the publication of legal notices in judicial districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Searing asked and obtained leave to introduce a bill entitled "An act to incorporate the Great Neck Commercial Stock company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act for the further protection of emigrant passengers arriving at the port and city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee to which was referred the report of the Commissioners of Emigration.

In pursuance of previous notice, Mr. Lozier asked and obtained leave to introduce a bill entitled "An act to divide Livingston county into two jury districts, and to build a jail at Dansville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New-York,' passed June 28, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Peters asked and obtained leave to bring in a bill entitled "An act to repeal the Atlantic and Pacific railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Benedict offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That on and after the 1st day of March next, (except Saturdays,) this House will convene at 10 o'clock in the morning,

take a recess at half-past one until half-past three o'clock in the afternoon, and on Saturdays it will convene at 10 a. m., and adjourn at half-past one p. m.

Debate was had thereon, when

Ordered, That said resolution be laid on the table.

On motion of Mr. Gleason,

Resolved, That the petitions and papers on file relating to the improvement of the Sacandaga river, be taken therefrom and referred to the committee on commerce and navigation.

On motion of Mr. Burgess, and by unanimous consent,

The bill to amend the charter of the village of Ilion, general order No. 188, was taken from the committee of the whole and referred to a select committee consisting of the Herkimer delegation, with power to report complete.

Mr. Leigh moved that the papers in the case of Job Lea, received from the Senate, be referred to the committee on petitions of aliens.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the affirmative.

On motion of Mr. Richards,

Resolved, That the Governor be requested to return to this House the bill entitled "An act to legalize the acts of Horace Treadwell, a justice of the peace of the town of Jefferson, in the county of Schoharie."

On motion of Mr. Richards,

Resolved, That the Auditor of the Canal Department be requested to report to this House the amount of money that has been paid to canal contractors in the shape of damages, or as extra compensation over and above the original contract price, and the persons to whom paid; also the amount paid to each one from January 1st, 1840, up to and including the year 1853.

On motion of Mr. Lozier,

Resolved, That the Speaker be authorised to certify to the per diem allowance and mileage of Patrick H. Maguire, member of Assembly from the third Assembly district of the city and county of New-York, from the commencement of the session.

On motion of Mr. Randall,

Resolved, That the bill entitled "An act to incorporate a savings bank in Elmira," be taken from the table and referred to a committee of the whole.

On motion of Mr. Hoyle, and by unanimous consent,

Resolved, That the bill in relation to the election of a fifth justice in the town of Champlain, Clinton co., be referred to a select committee to report complete.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That 10,000 copies of the annual report of the State Engineer and Surveyor on railroad sta-

tistics, be printed for the use of the Legislature, and 2,000 copies for the State Engineer.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Aitken,

Resolved, That the petition of Ogden Donington, to have the name of Mary E. Noyes changed to Mary E. Donington, and the bill, together with the papers connected therewith, presented and acted on in the Assembly at its session in the year 1853, be taken from the files of the Assembly and referred to the committee on the judiciary for report.

On motion of Mr. Cushman,

Resolved, That Senate bill No. 31, entitled "An act to amend an act entitled 'An act for the better support of the poor of the town of Newburgh,'" be recommitted to the committee on the internal affairs of towns and counties, for amendment.

By unanimous consent,

Mr. Bergen, from the select committee to which was referred the Senate bill entitled "An act authorising the board of supervisors of the county of Kings to continue the erection of a penitentiary in said county, and to erect a wash house for the nursery buildings on the county farm," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

At fifteen minutes to two o'clock p. m., the hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

MONDAY FEBRUARY 27, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Simmons.

The minutes of Saturday were read and approved.

Mr. Speaker announced as the select committee to report complete the bill, entitled "An act to provide for the election of a fifth justice in the town of Champlain, &c," Messrs. Hoyle, Thorn and Odell.

Mr. B. Dunlap presented the petition of citizens of Niagara co., for a lien law for the protection of mechanics, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Thorn presented the remonstrance of citizens of Clinton county, against levying tolls on railroads, which was read and referred to the committee on canals.

Mr. Robertson presented the petition of sundry citizens of Greene co., to regulate tare on cotton, which was read and referred to the committee on trade and manufactures.

Mr. S. Baldwin presented the petition of H. P. Cook, upon the same subject, which was read and referred to the committee on trade and manufactures.

Mr. Lozier presented the petition of citizens of the second Assembly district of Livingston co., to divide said county into two jury districts, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Hoyle presented the remonstrance of citizens of Franklin and Clinton counties, against levying tolls on railroads, which was read and referred to the committee on canals.

Mr. R. J. Baldwin presented the petition of 91 citizens of Greene, Chenango co., for the suppression of the circulation of bills of banks whose charters have expired, which was read and committed to the committee of the whole.

Mr. Williams presented the remonstrance of 93 citizens of Steuben co., against any act in relation to the location of the public buildings of the southern jury district at Corning, and praying for a new county, with buildings, at Addison, which was read and committed to the committee of the whole.

Mr. G. Miller presented the petition of the board of supervisors of Suffolk co., praying for an act authorising them to change the site of the court house and jail of said county, and to loan moneys for building the same, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Benedict presented the remonstrance of 100 taxable inhabitants of the town of Frankfort, against raising \$1,500 in said town, to reconstruct a road in said town, which was read and referred to the committee on roads and bridges.

Mr. Cushman presented the petition of citizens of La Grange, Dutchess co., praying for the repeal of the law authorising the erection of a toll gate on the Dutchess turnpike, near the village of Poughkeepsie, which was read and referred to the committee on roads and bridges.

Mr. A. A. Dunlop presented a petition from the bank of West Troy, praying for the passage of a law to prevent the use of illegal currency, which was read and committed to the committee of the whole.

Mr. Seeley presented the petition of a number of citizens of Otsego co., praying for the passage of an act to suppress the circulation of the bills of safety fund banks whose charters have expired, which was read and committed to the committee of the whole.

Mr. Sessions presented the petition of some of the citizens of Livingston co., praying for an amendment of the statute in relation to the collection of debts due the State upon lost evidences of

debt, which was read and referred to the committee on ways and means.

Mr. R. Dunlap presented the petition of citizens of Niagara, for a reduction of fare on the Buffalo and Niagara Falls railroad, which was read and referred to the committee on railroads.

Mr. Hatch presented the petition of Allen Potter, and others, praying for an amendment of the Hamburg turnpike company charter, which was read and referred to the committee on roads and bridges.

Mr. Conkling presented the remonstrance of J. W. Audubon, and others, against the recharter of the old Harlem bridge company, which was read and referred to the committee on roads and bridges.

Mr. McGraw presented the petition of inhabitants of Virgil, Cortland co., praying for a liquor law, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Sill presented a petition on the same subject, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Robertson presented a petition on the same subject, which was read, and referred to the select committee having in charge the bill on that subject.

Mr. Conkling presented the petition of Campbell Pinckney White, for leave to change his name, which was read and referred to the committee on the judiciary.

Mr. Dewey presented the petition of stockholders of the Brownville female seminary, praying for liberty to sell and dispose of their property, which was read and referred to the committee on the judiciary.

Mr. Sessions presented the petition of citizens of Palatine, Montgomery county, praying for aid to the New-York State teachers' association, which was read and referred to the committee on colleges, academies and common schools.

Mr. Mallory presented the petition of Hiram D. Goodwin, book auctioneer, praying for a repeal of the laws authorising trustees of incorporated villages to prohibit auction sales, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sessions presented the petition of citizens of Montgomery co., praying for a separation of the Superintendent of Common Schools, from the Secretary of State, which was read and referred to the committee on colleges, academies and common schools.

Mr. McGraw presented the petition of inhabitants of Cortland co., for a mechanics lien law, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Williams presented a resolution of the Cohocton town meeting, in favor of dividing Steuben co., with public buildings

at Addison, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Benedict presented the petition of John Lloyd for relief, which was read and referred to the committee on claims.

Mr. Peters presented several petitions from citizens of Steuben co., for a new county from parts of Steuben, Livingston and Ontario counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Thompson presented a remonstrance of citizens of Orange co., against the Senate bill in regard to the support of the poor in Newburgh, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Howell presented the remonstrance of 150 taxable inhabitants of the towns of Shawangunk and Gardner, Ulster co., against the bill for the aid of the late overseers of the poor of the town of Shawangunk, which was read and referred to the committee on the judiciary.

Mr. Hull presented a petition from citizens of St. Lawrence co., against levying tolls on railroads, which was read and referred to the committee on canals.

Mr. Mallory presented a petition of the Lake Ontario, Auburn and New-York railroad company, for an amendment of the general railroad act, which was read and referred to the committee on railroads.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Athens, in the county of Greene, praying for a law in relation to courts of special sessions, and to regulate the police of said town of Athens, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Plainfield, Otsego co., praying for a law to assess all lands in the town where the same lies, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of David Tomlinson, praying for relief from taxation, reported that they saw no good reason for a special act in relation to the said petitioner, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the memorial of the Regents of the University, for the publication of certain meteorological observations in this State, reported in writing, and asked and obtained leave to bring in a bill entitled "An act to provide for the publication of the results of meteorological observation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. S. Baldwin, and by unanimous consent,

Resolved, That the committee on claims be discharged from the further consideration of the petition of Mary Murray and others, asking for the payment of awards by the Canal Appraisers, and that the same be referred to the committee on ways and means.

Mr. Ward, from the committee on ways and means, to which was referred the bill entitled "An act to amend an act relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the marine hospital," reported in favor of its reference to the select committee having in charge the report of the Commissioners of Emigration, which report was agreed to.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of inhabitants of the town of Smithfield, Madison county, praying for a change in the location of a road in that town, reported, and asked and obtained leave to bring in a bill entitled "An act to confirm the acts of the commissioners of highways of the town of Smithfield, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act authorising and requiring the county of Dutchess to pay the county of Putnam the expenses of the trial of William Somers, for murder," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the bill entitled "An act for the defrayment of expense of ballots at the extra election," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Conkling, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the Granite Insurance company, and to authorise that company to change its place of business," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies, and common schools, to which was referred the bill entitled "An act to incorporate the Oxford Academy Boarding Association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burgess, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Ilion, in the county of Herkimer," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hatch, from the select committee to which was referred the Senate bill entitled "An act to provide additional compensation to jurors in attendance upon courts of record in the county of Erie," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Edwards, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to increase the number of wards and ward officers in the city of Troy,' passed April 17, 1851," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Hoyle, from the select committee to which was referred the bill entitled "An act to provide for the election of a fifth justice of the peace in the town of Champlain, in the county of Clinton, and for the future election of five justices of the peace in said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hatch, from the select committee to which was referred the bill entitled "An act to provide for additional compensation of justices of sessions designated to hold the court of sessions in the county of Erie, to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. Baldwin, from the select committee to which was referred the bill entitled "An act to amend the charter of the village of Wadington," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows, to wit :

"An act to incorporate the Erie county savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A message from the Senate was received and read, informing that they had passed, with the amendment therewith delivered, the bill entitled as follows:

"An act to allow the New-York and Erie bank to change its place of business."

Ordered. That said bill be referred to a select committee consisting of the Erie delegation.

A message from the Senate was received and read, informing that they had concurred in the amendment of the Assembly, with amendments, to the bill entitled as follows:

"An act permitting the inhabitants of the several towns in the county of Sullivan to decide by vote at their next annual town meeting, whether they will have one or three assessors for each town in said county."

Mr. Benedict moved that the House concur in said amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

} AYES 77 {
} NOES 00 {

Those who voted in the affirmative are,

Aitkin	Collins	Hinkley	S. F. Miller	Thompson
Bailey	Conkling	Hoyle	Palmer	Thorn
Baucus	Cushman	Hull	Peters	Townsend
R. J. Baldwin	Dewey	Mat. Hutchinson	Randall	Underwood
S. Baldwin	A. A. Dunlop	Mos Hutchinson	Richards	Ward
Barrow	R. Dunlap	Joy	Robertson	Ware
Barton	Edwards	Kinney	Rose	Weed
Beers	Ferguson	Kirkland	Rowland	Whipple
Benedict	Freeman	Lee	Sessions	Whitman
Bennett	Germain	Legg	Seeley	Wilson
Bergen	Gibbs	Lozier	Sheeley	Wilder
Boardman	Gleason	Mallory	Sill	Williams
Brust	Hall	Mather	Speaker	Winne
Burgess	Harpur	McGraw	Stephens	D. P. Wood
Burnett	Harris	G. Miller	Suffern	W. H. Wood
Cook	Hatch			

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendment, and amended the same accordingly.

Mr. Germain, from the select committee to which was referred the bill entitled "An act to authorise the New-York and Erie bank to change its place of business," reported in favor of concurring in the amendment made to said bill by the Senate.

Mr. Speaker put the question whether the House would agree to concur in said amendment, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Collins	Harris	S. F. Miller	Stephens
Bailey	Conkling	Hinkley	Nelson	Suffern
Baker	Crocheron	Hollenbeck	Palmer	Thompson
Backus	Cumming	Howell	Payne	Thorn
R. J. Baldwin	Cushman	Hoyle	Peters	Townsend
S. Baldwin	Dewey	Hull	Randall	Underwood
Barrow	A. A. Dunlop	Mat. Hutchinson	Richards	Ward
Barton	R. Dunlap	Mos. Hutchinson	Richardson	Ware
Beers	Edwards	Kirkland	Robertson	Whipple
Benedict	Ferguson	Lee	Rose	Whitman
Bennett	Freeman	Legg	Rowland	Wilson
Boardman	Germain	Lozier	Sessions	Wilder
Brust	Gibbs	Mallory	Seeley	Winne
Burgess	Gleason	Mather	Sill	D. P. Wood
Burnett	Hall	McGraw	Smalley	W. H. Wood
Cook	Harpur	G. Miller	Speaker	79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in said amendment, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit :

"An act to amend an act to incorporate the Marine savings institution in the city of New-York."

"An act to repeal an act entitled 'An act in relation to the powers and duties of trustees of the village of Walton,' passed June 21, 1853."

"An act to provide for the payment of certain expenses of the Assembly chamber."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill entitled "An act authorising the board of supervisors of the county of Kings to create a loan to continue the erection of a penitentiary in said county, and to erect a wash-house for the nursery buildings on the county farm," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cushman	Howell	S. F. Miller	Suffern
Baker	Dewey	Hoyle	Nelson	Thompson
Backus	A. A. Dunlop	Hull	Noble	Thorn

R. J. Baldwin	R. Dunlap	Mat. Hutchinson	Odeli	Townsend
S. Baldwin	Edwards	Mos. Hutchinson	Palmer	Underwood
Barrow	Ferguson	Joy	Peters	Ward
Barton	Freeman	Kinney	Randall	Ware
Beers	German	Kirkland	Richards	Whipple
Benedict	Gibbs	Lee	Richardson	Whitman
Bennett	Gleason	Legg	Robertson	Wilson
Boardman	Hall	Lozier	Rowland	Wilder
Brust	Harpur	Maguire	Sessions	D. Willis
Burgas	Harris	Mallory	Seeley	Winne
Burnett	Hatch	Mather	Sheeley	D. P. Wood
Cook	Hinkley	McGraw	Speaker	J. S. Wood
Collins	Hollenbeck	G. Miller	Stephens	W. H. Wood
Conkling				

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. G. Miller gave notice that he would, at an early day, ask leave to introduce a bill to authorise the board of supervisors of Suffolk county to change the site of the court house and jail, and for other purposes.

Mr. R. Dunlop gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of Lockport.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill to amend title seventh, section 35 and section 39, of the charter of the city of Buffalo.

Mr. Randall gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Canal Commissioners to loan certain surplus waters of the Chemung canal to William T. Hastings.

Mr. McGraw gave notice that he would, at an early day, ask leave to introduce a bill to aid the New-York central college.

Mr. Moseley Hutchinson gave notice that he would, at an early day, ask leave to introduce a bill to amend the general railroad act.

Mr. Richards gave notice that he would, at an early day, ask leave to introduce a bill in reference to the registry of assignments of judgments and payment of fees in certain cases, in the city and county of New-York.

Mr. Lozier announced the death of Mr. Monfort, member of Assembly from the 1st district of Dutchess county.

Mr. Richards moved that a select committee of five be appointed, forthwith, to prepare and report resolutions expressive of the feelings of respect entertained by this House for the deceased, and of their grief at his death.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

Mr. Speaker announced as such select committee, Messrs. Richards, Moseley Hutchinson, Benedict, Burnett and Sheeley.

Mr. Richards, from said select committee, reported the following resolutions:

Resolved, That the members of this House have learned with unfeigned sorrow and regret of the death of Hon Peter P. Monfort, a member of this House, from the 1st Assembly district in the county of Dutchess, and sincerely sympathise with his family and friends under this sudden and afflictive bereavement.

Resolved, That as a token of respect for the character and memory of the deceased, and their grief for his loss, the members of this House will wear the usual badge of mourning for 30 days.

Resolved, That the Hon. the Speaker be, and is hereby requested to transmit a copy of these resolutions to the family of the deceased.

Resolved, That as a further mark of respect for the memory of the deceased, this House do now adjourn to meet to-morrow at 10 o'clock.

Mr. Sterling, (who was absent when the despatch was received) regretted exceedingly that he was absent on the reception of the news of the decease of his colleague, as communicated to the House. He would have been glad to have learned something more of the early history of the deceased that he might point out more of it to the House.

The fact of his (Mr. S.) having recently become a resident of the county of Dutchess, and more recently made the acquaintance of the deceased, rendered him incompetent to give at length the history of the deceased. But this was an event which must come home to every member of this House with power.

It was but a short time since that his colleague was here transacting business as a faithful representative of his constituents. But the summons of death had come, and he has gone to be with us no more forever.

While we know that his loss will be felt most by those who knew him best, and while we sympathise with those most near to him, yet, as members of this House we, too, feel most keenly his loss from our midst.

Mr. S. hoped this providence of God would operate on us beneficially—that it would act as a warning that our duties should always be discharged with faithfulness, and that while we know our responsibility to our constituents, we should also be aware of our responsibility to God. We, too, may be called to give an account, of not only our acts, which are known, but of our motives, which are known also, and scanned most thoroughly.

Mr. Benedict then arose and said—

Mr. Speaker, I cannot let this opportunity pass without saying a word in behalf of the deceased.

I became acquainted with him at the commencement of the session, having boarded with him while residing in the city, and was much struck with his agreeable qualities. Buoyant with hope, he had expressed to me the regret he should feel to part with so many friends he had found here when the session should

close. His company and associations were agreeable and pleasant.

A few days before he returned home, we ascertained he was ailing. He appeared to have a burning fever within, and he was constant in his calls for cold water to quench his thirst. We advised him to go home, where kind attentions and ease of mind might restore him to health again and enable him to return to his seat, and resume his duties in this chamber. But instead of that, the solemn announcement fell upon our ears a few moments since that he had "gone to that bourne from whence no traveller returns."

How clearly then does this sudden and afflictive dispensation of Divine Providence demonstrate the solemn truth, "that in the midst of life we are in death."

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

Mr. Speaker thereupon declared the House adjourned till tomorrow at 10 o'clock.

TUESDAY, FEBRUARY 28, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

By unanimous consent,

Mr. Sterling presented 2 several petitions of sundry inhabitants of Dutchess county, praying for an act repealing such law or laws as have authorised the Dutchess county turnpike to erect a gate on their road near Poughkeepsie, which was read and referred to the committee on roads and bridges.

Mr. Speaker announced the appointment of the following messengers, in addition to those heretofore appointed—their term of service to extend from the 22d February to the end of the session:

James P. Smith, William Quinn, Nelson Arms, William Watson and Frederick Smith.

Philip Ford, for the term commencing January 3d to February 21st, he having performed service during that time.

James W. Whelpley, from the 3d January, at which time he commenced service, until the end of the session.

On motion of Mr. Benedict, and by unanimous consent,

Resolved, That the Metropolitan bank of the city of New-York, report forthwith to this House, the name of each bank (situate out of said city and within this State,) that has made arrangements with said bank to have its notes redeemed there, the amount each bank has on deposit at the date of this resolution,

the terms upon which the bills of each bank are redeemed at said bank, and the amount charged by said bank to each for redeeming their said bills at said institution.

On motion of Mr. Benedict, and by unanimous consent,

Resolved, That the American exchange bank of the city of New York, report forthwith to this House the name of each bank (situate out of said city and within this State) that has made arrangements with said bank to have its notes redeemed there, the amount each bank has on deposit at the date of this resolution, the terms upon which the bills of each bank are redeemed at said bank, and the amount charged by said bank to each for redeeming their said bills at said institution.

On motion of Mr. Peters, and by unanimous consent,

Resolved, That Assembly document No. 62, being a communication from the Auditor on commutation of canal bridges, be referred to the canal committee, with instructions to report a bill to carry out the recommendation of the Auditor.

By unanimous consent,

Mr. Burnett presented the petition of Thomas D. Gibson for relief, which was read and referred to the committee on state prisons.

This being the day prescribed by the rules for general orders,

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act to promote medical science."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole upon the Senate bill entitled as follows:

"An act to provide for certain expenses of Government."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported that the committee had gone through said bill, made sundry amendments thereto, and as amended, recommend its passage, which report was agreed to.

On motion of Mr. Mallory, and by unanimous consent,

Resolved, That the order of business prescribed by the rules for this day, it being general orders, be suspended, and that the business of yesterday, where it was interrupted by the announcement of the death of Mr. Monfort, be resumed.

Mr. Speaker announced the order of business to be the introduction of notices.

Mr. Baucus gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the taxable inhabitants of the town of Corinth, in the county of Saratoga.

Mr. R. J. Baldwin gave notice that he would, at an early day, ask leave to introduce a bill authorizing the Comptroller to

make a loan from the school fund to the trustees of Oxford academy, to enable them to complete their buildings.

Mr. May gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the Seio and Bolivar plank road company.

Mr. Savage gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to prescribe and regulate certain duties, and reduce the fees and costs of the counsel to the corporation of the city of New-York, in opening, laying out, widening, extending or altering streets, avenues, public squares, public parks, and places in said city.

In pursuance of previous notice, Mr. May asked and obtained leave to introduce a bill entitled "An act authorising the Canal Board to examine the claim of George W. Willard, for damages caused by the construction of the Genesee valley canal, and to award him payment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to change the name of Campbell Pinkney White, to Campbell White Pinkney," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend the general railroad law, in reference to making up passenger trains," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Moseley Hutchinson asked and obtained leave to introduce a bill entitled "An act in relation to railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Chesebro asked and obtained leave to introduce a bill entitled "An act to repeal the act entitled 'An act to facilitate the service of process in certain cases,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Leigh asked and obtained leave to introduce a bill entitled "An act for the more effectual suppression of gambling and the sale of lottery tickets and lottery policies in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. A. A. Dunlop asked and obtained leave to introduce a bill entitled "An act to incorporate the Albany Dime Savings bank, in the city of Albany," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan Savings Institution,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to incorporate companies for the improvement of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. G. Miller asked and obtained leave to introduce a bill entitled "An act to authorise the board of supervisors of the county of Suffolk to change the site of the court house and jail in said county, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Dawson asked and obtained leave to introduce a bill entitled "An act for the more efficient inspection and adjustment of weights and measures in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill, entitled "An act to provide for the regulation of the speed of locomotive engines and other railroad vehicles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Ward asked and obtained leave to introduce a bill entitled "An act to prevent the Hudson river railroad company from running their locomotives below 125th street, in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Richards asked and obtained leave to introduce a bill entitled "An act for the registry of assignments of judgments and payment of fees in certain cases, in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. R. Dunlap asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Lockport, Niagara county," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to authorise the Canal Commissioners to loan certain surplus waters of the Chemung canal to Wm. Hastings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to confirm the acts of commissioners in organizing the town of Horseheads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act relative to the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill entitled "An act to change the time of holding the annual meeting for the election of directors of the East Hamburg turnpike road company, to reduce the number of directors of said company, and to authorise said company to take increased rates of toll," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Case asked and obtained leave to introduce a bill entitled "An act to amend the general plank road law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. May asked and obtained leave to introduce a bill entitled "An act for the relief of the Scio and Bolivar plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. S. Baldwin asked and obtained leave to introduce a bill entitled "An act authorising the refunding of money to Mathew M. Roberts, on account of mistake in its application when paid into the treasury by him," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In pursuance of previous notice, Mr. Conkling asked and obtained leave to introduce a bill entitled "An act to incorporate the Hebrew female benevolent society of the congregation Shearith Israel, in the city of New-York," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Randall asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Horseheads, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Gibbs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorise stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgage,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Winne asked and obtained leave to introduce a bill entitled "An act to authorise the board of supervisors of Schenectady county to levy a tax of five hundred dollars annually on the town of Rotterdam for highway purposes in that town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Cumming presented the petition of the fire departments of the city of New-York for the better regulation of the firemen in the said city, which was read and referred to a select committee.

Mr. Speaker announced as such committee, Messrs. Cumming, Bergen, Ward, Baucus and Legg.

By unanimous consent,

Mr. J. E. Willis presented the petition of 70 persons, praying that the Saratoga and Sacketts Harbor railroad company, may locate their road through the counties of Warren and Essex, which was read and referred to the committee on railroads.

By unanimous consent,

Mr. Ware presented the petition of the officers of 26 fire insurance companies in the city of New-York, praying for the passage of the bill now before the Legislature requiring the police justices of said city to investigate in the cause and origin of fire, which was read and laid on the table.

Mr. B. J. Baldwin offered for the consideration of the House a resolution in the words following, to wit:

Resolved, (if the Senate concur,) that a joint committee consisting of one member of the Senate and two members of the Assembly, be appointed by ballot, according to the provisions of the act passed May 25, 1851, to examine the accounts of the Treasury and Canal Departments, and to examine into the condition of the Banking Department; and that said appointment be made on Monday, the 3d day of April next.

Ordered, That said resolution be laid on the table.

On motion of Mr. Lozier,

Resolved, That the Clerk be authorised to procure a complete Red Book for the use of each of the members, officers and reporters of this House, agreeable to the joint resolution of the Legislature at the session of 1840.

Mr. Benedict called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit :

Resolved, That on and after the 1st day of March next, (except Saturday,) this House will convene at 10 o'clock in the morning, take a recess at half-past one until half-past three o'clock in the afternoon, and on Saturdays it will convene at 10 a. m., and adjourn at half-past one p. m.

On motion of Mr. R. J. Baldwin, the aforesaid resolution was amended by substituting 11 o'clock for 10 o'clock.

Mr. Peters moved to amend by substituting the 11th for the 1st of March.

Mr. Burnett moved to extend the time of adjournment for to-day, five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Pending the consideration, at one and three-quarters o'clock, p. m., the hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

WEDNESDAY, MARCH 1, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. D. Simmons.

The minutes of yesterday were read and approved.

Mr. Cost presented the petition of inhabitants of school district No. 8, in the town of Phelps, in the county of Ontario, praying for a law incorporating the Phelps Union Classical school, which was read and referred to the committee on colleges, academies and common schools.

Mr. McGraw presented two petitions for aid to the New-York Central College, which were read and referred to the committee on colleges, academies and common schools.

Mr. Gott presented the petition of Albertus Welb, and 90 others of the village of Valatia, Columbia co., for the separation of the office of Superintendent of Common Schools, from the Secre-

tary of State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Gibbs presented a petition of the New-York State teachers' association, for an appropriation, which was read and referred to the committee on ways and means.

Mr. R. J. Baldwin presented a memorial of the trustees of the Oxford academy, for a loan to enable them to complete their buildings, which was read and referred to the committee on ways and means.

Mr. Baekus presented the petition of inhabitants of Brooklyn, for the repeal of certain laws relative to Orphan asylums, which was read and referred to the committee on charitable and religious societies.

Mr. Conkling presented the memorial of 72 licensed pilots of the harbor of New-York, asking for certain amendments of the pilot law, which was read and referred to the committee on commerce and navigation.

Mr. Mathias Hutchinson presented the petition of 223 inhabitants of Cayuga co., for protecting women's rights, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Burgess presented the petition of Ezra Graves, and other gentlemen and ladies of Herkimer co., on the same subject, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Randall presented 17 several petitions of citizens of Tompkins co., for a new county from territory near the head of Seneca lake, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Jenkins presented 4 several remonstrances of inhabitants of Allegany, against a new county from parts of Allegany and Steuben, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Randall presented the remonstrance of inhabitants of the town of Southport, against dividing the county of Chemung, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Lozier presented the petition of citizens of the second Assembly district of Livingston co., to divide said county into two jury districts, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Lozier presented the petition of legal voters to attach South Dansville to Livingston county; also, the remonstrance of citizens of Livingston co., against dividing the counties of Steuben and Allegany, with county seat at Hornellsville, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Underwood presented the remonstrance of citizens of the town of Starkey, against dividing Yates county, which was read

and referred to the committee on the erection and division of towns and counties.

Mr. Rose presented the petition of citizens of Livingston co., for a new county from parts of Livingston, Steuben and Ontario counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. D. P. Wood presented the petition of inhabitants of Saratoga county, for a monument at Bemis' Heights, which was read and referred to the committee on ways and means.

Mr. Dewey presented the petition of Franklin B. Hough, for aid in the prosecution of certain historical enquiries, which was read and referred to a select committee.

Mr. Nelson presented the petition of H. C. Granger, of Saratoga co., for a prohibitory liquor law, which was read and referred to a select committee.

Mr. Weed presented the petition of citizens of Erie co., for an amendment to the plank road law, which was read and referred to the committee on roads and bridges.

Mr. May presented 5 several petitions of inhabitants of Allegany co., for a feeder to the Genesee Valley canal, which were read and referred to the committee on canals.

Mr. Sterling presented 2 remonstrances of sundry inhabitants of East Fish Kill, against the relief prayed for by the Poughkeepsie and Stormville plank road company, which was read and referred to the committee on roads and bridges.

Mr. Sterling presented the petition of inhabitants of La Grange, to remove the toll gate near Poughkeepsie, on the Dutchess county turnpike, which was read and referred to the committee on roads and bridges.

Mr. B. J. Baldwin presented the petition of 90 citizens of Chenango county, for an amendment of the laws in relation to tolls on plank roads, which was read and referred to the committee on roads and bridges.

Mr. Moseley Hutchinson presented the petition of residents of Cayuga county, for tax on dogs, which was read and referred to the committee on the judiciary.

Mr. Moseley Hutchinson presented the petition of Benjamin Ashby, for relief, which was read and referred to the committee on the judiciary.

Mr. Kirkland presented the petition of citizens of Chautauque county, for an amendment to the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Barrow presented the remonstrance of inhabitants of Saratoga Springs, against altering the charter of said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Savage presented the petition of citizens of New-York city for a new park, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Savage presented the remonstrance of the Religious Incorporation "gates of prayer," against extending the new park over the space of their burying ground in the upper part of the city of New-York, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Conkling presented the memorial of the tax payers in the city of New-York, that the dimensions of Central park may be reduced, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Sterling presented the petition of inhabitants of Poughkeepsie, for a city charter with certain provisions, which was read and referred to the committee on the incorporation of cities and villages.

Mr. G. Miller presented the petition of inhabitants of Long Island, in reference to the Long Island railroad, which was read and referred to the committee on roads and bridges.

Mr. Benedict presented 2 remonstrances against the location of the Saratoga and Sacketts Harbor railroad through the counties of Essex and Warren, which were read and referred to the committee on railroads.

Mr. Weed presented the petition of citizens of the city of Buffalo, (late Black Rock,) for the construction of a canal basin, which was read and referred to the committee on canals.

Mr. Jenkins presented 4 petitions of citizens of Allegany co., for a law authorising a feeder on the Genesee Valley canal on the Genesee river, which were read and referred to the committee on canals.

Mr. R. Dunlap presented the petition of H. W. Campbell, for extending the time for collecting taxes in the town of Lockport, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Randall presented the petition of the supervisor, town clerk, and other town officers in the town of Southport, for an extension of the time for the collection of taxes to the 1st of April, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Thompson presented 4 remonstrances of citizens of the county of Orange, against any change in the poor laws of said county, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Mills presented 4 remonstrances upon the same subject, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Weed presented the petition of 37 of the legal voters of Erie county, upon different subjects, which was read and referred to the committee on grievances.

Mr. Richardson presented the petition of Cornelius Van Alstine and Albert Matre, praying for relief, which was read and referred to the committee on claims.

Mr. Clinton presented the petition of William Moore, for compensation for canal damages, which was read and referred to the committee on claims.

Mr. Littlefield presented the petition of inhabitants of Jefferson co., for the suppression of the currency of banks whose charters have expired, which was read and committed to the committee of the whole.

Mr. J. E. Willis presented a petition upon the same subject, which was read and committed to the committee of the whole.

Mr. Mitchell presented a petition on the same subject, which was read and committed to the committee of the whole.

Mr. Sessions presented the petition of 60 citizens of Westfield, Chautauque co., for a law incorporating companies to navigate the canals, &c., of this State, which was read and committed to the committee of the whole.

Mr. Martin presented a petition from the board of grand jurors of Columbia county, for an amendment of the Constitution in relation to bribery at general and special elections, which was read and committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise railroad and plank road companies to make payment upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgage,'" reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations, and regulate the same,' passed April 2, 1850," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Washington Thurman, and others, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Washington Thurman, and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Luke P. Babcock, and others, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Luke P. Babcock, and others,"

which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Hiram Allen, for relief, reported in writing, and asked for and obtained leave to bring in a bill entitled "An act for the relief of Hiram Allen," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Elias P. Gilmore, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Elias P. Gilmore," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Gleason, from the committee on grievances, to which was referred the petition of Ellen Kenney, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Ellen Kenney," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Alvah Wheden, and others, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Alvah Wheden, and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of M. L. Ross, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Mahlon L. Ross," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of John D. Milliner, for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of John D. Milliner," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act for the relief of James Hay," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of Sally Chamberlain Carr, for relief, reported in

writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Sally Chamberlain Carr," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cumming, from the committee on trade and manufactures, to which was referred the bill entitled "An act further to amend an act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung, and the town of Newburgh, in the county of Orange,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to legalize the construction and maintainance of the bridge of the Wellsburgh bridge company on a plan different from that set forth in their articles of association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend section one of an act to protect sidewalks along highways, passed May 10, 1836," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the Lowville and Carthage plank road company, praying for a law to abandon a portion of their road, reported, and asked and obtained leave to bring in a bill entitled "An act to authorize the Lowville and Carthage plank road company to abandon that portion of their road lying in Jefferson co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend the charter of the village of Saratoga Springs," reported that the committee had examined said bill, made sundry

amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the majority of the select committee to which was referred the bill entitled "An act relative to the purchase and laying out of certain lands for a public park in the nineteenth ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty, in relation thereto," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Leigh, from the minority of the select committee to which was referred the bill entitled "An act relative to the purchase and laying out of certain lands for a public park in the nineteenth ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonality in relation thereto," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to extend the time for paying in the capital stock of the Hoffman Grove Association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of inhabitants of Brooklyn, praying for the repeal of certain laws relative to orphan asylums, reported, and asked and obtained leave to bring in a bill entitled "An act to repeal certain acts relative to orphan asylums in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Tract Society of the Methodist Episcopal church," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of Allen Potter, and others, praying for an amendment of the charter of the Hamburg turnpike compa-

ny, reported, and asked and obtained leave to bring in a bill entitled "An act to change the time of holding the annual meeting for the election of directors of the Hamburg turnpike company, and to authorise them to take increased toll," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hatch, and by unanimous consent,

Said bill was referred to the Erie delegation to report complete.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Perry,' passed July 5, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Syracuse, praying for an amendment of the charter of the Syracuse water works company, reported, and asked and obtained leave to bring in a bill entitled "An act to amend an act to incorporate the Syracuse city water works company, passed April 8, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cook, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the counties of Steuben and Allegany, praying for the erection of a new county from parts of Steuben and Allegany, to be called Canisteo, reported, and asked and obtained leave to bring in a bill entitled "An act to erect the county of Canisteo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of the county of Niagara, praying for a mechanics' loan law, reported, and asked and obtained leave to bring in a bill entitled "An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Searing from the committee on railroads, to which was referred the Senate bill entitled "An act to amend an act authorising the laying of railroad tracks in Division avenue, county of Kings," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

On motion of Mr. Bergen, and by unanimous consent,

Said bill was referred to a select committee, consisting of the Kings county delegation, to report complete.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Lockport, Niagara county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of the board of supervisors of Erie county, praying for an increased compensation to jurors, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for additional compensation to jurors in attendance upon courts of record in Erie county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the bill entitled "An act allowing the towns in Madison, Chenango, Oneida and Broome, to subscribe to the capital stock of the Utica and Binghamton railroad," reported in writing, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal an act entitled 'An act to amend an act entitled 'An act providing for the registry of births, marriages and deaths,' passed April 2, 1858,'" reported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Harris, from the committee on militia and public defence, to which was referred the bill entitled "An act to amend an act entitled 'An act for the enrolment of the militia, &c.," (introduced by Mr. Sessions,) reported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. S. Baldwin, from the committee on claims, offered the following resolution:

Resolved, That the chairman of the committee on claims, be authorized to employ a clerk for the remainder of the session.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Cumming, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 189, entitled "An act in relation to the office of the register of deeds of the city and county of New-York," and that the same be ordered to a third reading.

Mr. Benedict, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the Erie county savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented a communication from the Attorney General, in answer to a resolution of the Assembly, in relation to acts passed Oct. 21st, 1848, and April 21st, 1818.

(See Ass. Doc. No. 78.)

Mr. Speaker presented the transactions of the State Medical Society, and a communication from the committee of publication, requesting that the same favor may be extended to the Society as in former years, in their publication, for the benefit of the community.

Mr. Hull offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 3,000 extra copies of the annual transactions of the New-York State Medical Society be printed for the use of the Legislature, and 1,000 copies for the society.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the president of the New-York Institution for the Instruction of the Deaf and Dumb, requesting the use of the Assembly Chamber on Thursday evening, the 2d inst., at 7 o'clock p. m., for the purpose of exhibiting to the authorities of the State the proficiency which has been attained by the pupils of this institution.

On motion of Mr. Conkling,

Resolved, That the use of the Assembly Chamber be granted to the president of the Institution for the Instruction of the Deaf and Dumb, for the purpose of holding public exercises of the pupils, on Thursday evening, the 2d inst., at 7 o'clock.

Mr. Speaker presented a report of the condition of the Central City savings institution of the city of Utica, on the 25th of February, 1854, which was read and referred to the committee on banks.

Mr. Speaker presented the report of the trustees of the Cohoes savings institution, which was read and referred to the committee on banks.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, to the bill entitled as follows:

"An act permitting the inhabitants of the several towns in the county of Sullivan, to decide by vote, at their annual town meeting, whether they will have one or three assessors for each town in said county."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit:

"An act to provide for the election of a fifth justice of the peace in the town of Lenox, in the county of Madison, and for the future election of five justices of the peace in said town."

"An act to authorise the Rome and Oswego road company to abandon portions of their road."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to incorporate the Clifton Springs water cure company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

The bill entitled "An act to provide for the election of a fifth justice of the peace in the town of Champlain, in Clinton county, and for the future election of five justices of the peace in said town," coming up for its third reading,

On motion of Mr. Hoyle, and by unanimous consent,

Said bill was amended by striking out all after the word "office" in the seventh line, in the first section, and inserting "at the same time, and in the same manner, and his term of office shall be the same as that of the justice to be elected in the place of said Ford," also, in the third section, in the second line, strike out the word "seven" and insert "eight," and erase the words "after the first term," in the sixth line.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

} AYES 89 {
} NOES 00 {

Those who voted in the affirmative are,

Aitkin	Conkling	Hollenbeck	Martin	Shi
Bailey	Coit	Howell	McGraw	Speaker
Backus	Cumming	Hoyle	McMurray	Stephens
S. Baldwin	Dawson	Hull	Mills	Sterling
Barrow	E. Dunlap	Mat. Hutchinson	S. F. Miller	Sufferin
Barton	Edwards	Mos. Hutchinson	Munroe	Thompson

Baucus	Ferguson	Jenkins	Odell	Townsend
Beers	Fiero	Joy	Palmer	Underwood
Benedict	Freeman	Kinney	Peters	Ware
Bennett	Gibbs	Kirkland	Randall	Whipple
Bergen	Gleason	Lee	Robertson	Wilson
Boardman	Gorham	Legg	Rose	D. Willis
Boyd	Hall	Leigh	Rowland	J. E. Willis
Brust	Harpur	Littlefield	Savage	Williams
Burgess	Harris	Littlejohn	Scott	Winne
Case	Hatch	Lozier	Searing	D. P. Wood
Clinton	Hinkley	Maguire	Sessions	W. H. Wood
Collins	Holdridge	Mallory	Sheeley	

89

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the New-York and New-Rochelle railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

Altken	Conkling	Holdridge	Mallory	Speaker
Bailey	Crocheron	Hollenbeck	Martin	Stephens
Baker	Cumming	Howell	May	Sterling
Backus	Cushman	Hoyle	McGraw	Sumner
R. J. Baldwin	Dawson	Hull	McMurray	Thorn
S. Baldwin	R. Dunlap	Mat. Hutchinson	G. Miller	Townsend
Barrow	Edwards	Mos. Hutchinson	Mitchell	Underwood
Barton	Ferguson	Jenkins	Morris	Ware
Baucus	Fiero	Joy	Noble	Whipple
Beers	Gibbs	Kinney	Odell	Whitman
Benedict	Gleason	Kirkland	Palmer	Wilson
Bennett	Gorham	Lee	Peters	D. Willis
Bergen	Graham	Legg	Randall	J. E. Willis
Brust	Hall	Leigh	Robertson	Williams
Burgess	Harpur	Littlefield	Savage	Winne
Case	Harris	Littlejohn	Scott	D. P. Wood
Cheesbro	Hatch	Lozier	Searing	W. H. Wood
Clinton	Hinkley	Maguire	Sessions	

89

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Backus, and by unanimous consent,

The bill entitled "An act to authorize the mortgaging of the of the real estate of benevolent, charitable, scientific and missionary societies," was taken from the committee of the whole and ordered engrossed for a third reading.

By unanimous consent,

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cost	Hoyle	McMurray	Speaker
Bailey	Cumming	Hull	Mills	Sterling
Backus	Cushman	Mos. Hutchinson	Mitchell	Suffern
R. J. Baldwin	Dawson	Jenkins	Morris	Thorn
S. Baldwin	Dewey	Kinney	Munroe	Townsend
Barrow	R. Dunlap	Lee	Nelson	Underwood
Bancus	Ferguson	Legg	Noble	Ware
Beers	Freeman	Leigh	Palmer	Whipple
Benedict	Gleason	Littlefield	Robertson	Whitman
Bennett	Graham	Littlejohn	Savage	Wilson
Bergen	Harpur	Lozier	Scott	D. Willis
Boardman	Hinkley	Maguire	Searing	J. E. Willis
Brust	Holdridge	Mather	Sessions	Winne
Cheesbro	Hollenbeck	May	Sheeley	D. P. Wood
Conkling	Howell	McGraw	Smalley	W. H. Wood 75

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for certain expenses of government," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 01 }

Those who voted in the affirmative, are,

Aitken	Cheesbro	Hollenbeck	S. F. Miller	Speaker
Bailey	Clinton	Hull	Mitchell	Stephens
Baker	Conkling	Mat. Hutchinson	Munroe	Sterling
R. J. Baldwin	Cumming	Mos. Hutchinson	Nelson	Suffern
S. Baldwin	Dawson	Kinney	Noble	Thorn
Barrow	Edwards	Kirkland	Odell	Townsend
Barton	Ferguson	Lee	Peters	Underwood
Bancus	Freeman	Legg	Robertson	Ware
Benedict	Gibbs	Littlefield	Rowland	Whipple
Bennett	Gott	Littlejohn	Savage	Whitman
Bergen	Graham	Lozier	Scott	Wilson
Boardman	Hall	Mather	Sessions	D. Willis
Bostwick	Harpur	May	Seeley	Williams
Boyd	Hatch	McGraw	Sheeley	Winne
Brust	Hinkley	McMurray	Sill	D. E. Wood
Burgess	Holdridge	G. Miller	Smalley	79

For the negative,

Thompson

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act in relation to the office of the register of deeds of the city and county of New-York," coming up for its third reading,

Mr. Clinton moved to lay it upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton to lay upon the table, and it was determined in the negative.

Mr. Richards moved to recommit said bill to the committee of the whole, with instructions to amend by striking out the words in the third section, and substituting "This act shall take effect the 1st of January, 1855."

Mr. Clinton moved to recommit the bill to a select committee with instructions to so amend as to make the provisions of the act extend only to the register of deeds.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Richards, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 14 }

Those who voted in the affirmative are,

Bailey	Crockeron	Hoyle	McMurray	Sealey
Baker	Cunningham	Hall	G. Miller	Sill
Backus	Dewey	Mat. Hutchinson	S. F. Miller	Smalley
R. J. Baldwin	Edwards	Mos. Hutchinson	Mitchell	Speaker
S. Baldwin	Fiero	Joy	Morris	Sterling
Barrow	Freeman	Kinney	Munroe	Suffern
Beers	German	Kirkland	Nelson	Thompson
Benedict	Gibbs	Legg	Noble	Townsend
Bennett	Gleason	Leigh	Palmer	Underwood
Bergen	Gorham	Littlefield	Peters	Ware
Boardman	Gott	Littlejohn	Randall	Weed
Boyd	Hall	Lozier	Richardson	Whipple
Brust	Harpur	Maguire	Robertson	Whitman
Case	Harris	Mallory	Rose	D. Willis
Chesbro	Hatch	Martin	Savage	J. E. Willis
Collins	Hinkley	Mather	Scott	Winne
Conkling	Holdridge	May	Searing	D. P. Wood
Coit	Howell	McGraw	Sessions	W. H. Wood 90

Those who voted in the negative are,

Aitken	Burgess	R. Dunlap	Lee	Richards
Barton	Clinton	Ferguson	Mills	Wilson
Baucus	Cushman	Graham	Odell	34

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to increase the number of wards and ward officers in the city of Troy,' passed April 17, 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, are

Aitken	Burgess	Harpur	McGraw	Seeley
Bailey	Burnett	Hatch	McMurray	Sill
Baker	Chasebro	Hollenbeck	Mills	Smalley
R. J. Baldwin	Clinton	Hull	S. F. Miller	Speaker
S. Baldwin	Conkling	Mat. Hutchinson	Mitchell	Sterling
Barrow	Crocheron	Mos. Hutchinson	Munroe	Suffern
Barton	Cushman	Kinney	Nelson	Thompson
Bancus	Dawson	Kirkland	Noble	Townsend
Beers	Dewey	Lee	Odell	Ware
Benedict	R. Dunlap	Legg	Palmer	Weed
Bennett	Edwards	Littlefield	Richardson	Whipple
Bergen	Ferguson	Littlejohn	Robertson	J. E. Willis
Boardman	Gibbs	Magnire	Scott	Winn
Boatwick	Gorham	Mather	Searing	D. P. Wood
Boyd	Graham	May	Sessions	W. H. Wood
Brust	Hall			

77

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill, entitled "An act to provide additional compensation to jurors in attendance upon courts of record in Erie county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 05 }

Those who voted in the affirmative are,

Aitken	Cumming	Howell	McMurray	Speaker
Bailey	Cushman	Hoyle	Mitchell	Stephens
Backus	Dawson	Hull	Morris	Sterling
R. J. Baldwin	Dewey	Mat. Hutchinson	Munroe	Suffern
S. Baldwin	R. Dunlap	Mos. Hutchinson	Nelson	Townsend
Barrow	Edwards	Kinney	Noble	Underwood
Barton	Ferguson	Kirkland	Odell	Ware
Bennett	Fiero	Lee	Palmer	Weed
Bergen	Freeman	Legg	Richardson	Whipple
Boardman	Germain	Leigh	Robertson	Whitman
Brust	Gleason	Littlejohn	Savage	Wilson
Burgess	Harpur	Magnire	Scott	D. Willis
Burnett	Hatch	Mallory	Searing	J. E. Willis
Clinton	Hinkley	Mather	Sessions	Winn
Conkling	Holdridge	May	Seeley	D. P. Wood
Cost	Hollenbeck	McGraw	Sill	W. H. Wood

80

Those who voted in the negative are,

Benedict	Case	Gott	Richards	Thompson
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5

Ordered, That the Clerk return said bill to the Senate, with message informing that the Assembly have passed the same without amendment.

The bill, entitled "An act to provide for additional compensation of justices of sessions, designated to hold the court of sessions in the county of Erie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 87 }
{ NOES 02 }

Those who voted in the affirmative are,

Aitken	Crocheron	Hoyle	Mills	Sessions
Bailey	Cushman	Hull	G. Miller	Seeley
Baker	Dawson	Mat. Hutchinson	S. F. Miller	Sill
Bakus	Dewey	Mos. Hutchinson	Mitchell	Smalley
R. J. Baldwin	R. Dunlap	Kinney	Morris	Speaker
S. Baldwin	Edwards	Kirkland	Munroe	Sterling
Barrow	Ferguson	Lee	Noble	Suffern
Barton	German	Legg	Odell	Townsend
Bennett	Gibbs	Leigh	Palmer	Underwood
Bergen	Gleason	Littlefield	Peters	Weed
Boardman	Graham	Littlejohn	Randall	Whipple
Bostwick	Hall	Maguire	Richardson	Whitman
Brust	Harpur	Mallory	Robertson	J. E. Willis
Burgess	Harris	Martin	Rowland	Williams
Burnett	Hatch	May	Savage	Winne
Chasebro	Hinckley	McGraw	Scott	D. P. Wood
Clinton	Holdridge	McMurray	Searing	W. H. Wood
Conkling	Hollenbeck			

87

Those who voted in the negative are,

Benedict Gott

2

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill, entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Ilion, in the county of Herkimer," coming up for its third reading,

On motion of Mr. Hinckley,

Said bill was amended, by striking from the 1st line of the 1st section, the words "the said trustees," and inserting "the trustees of the village of Ilion."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Case	Harris	Mather	Senions
Beckus	Chesebro	Hatch	May	Seeley
E. J. Baldwin	Clinton	Hinkley	McGraw	Sheeley
S. Baldwin	Collins	Hoyle	Mills	Sill
Barrow	Conkling	Hull	G. Miller	Speaker
Barton	Crocheron	Mat. Hutchinson	Mitchell	Stephens
Baucus	Cumming	Mos. Hutchinson	Morris	Sterling
Beers	Cushman	Joy	Munroe	Suffern
Benedict	Dawson	Kinney	Noble	Underwood
Bennett	Dewey	Kirkland	Odell	Whipple
Bergen	R. Dunlap	Lee	Peters	Whitman
Boardman	Germain	Leigh	Richardson	Wilson
Boardwick	Gibbs	Littlefield	Robertson	D. Willis
Boyd	Gott	Lozier	Rowland	J. E. Willis
Brust	Graham	Maguire	Savage	Williams
Burgess	Hall	Mallory	Scott	D. P. Wood
Burnett	Harpar	Martin	Searing	W. H. Wood 86

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

At a quarter to two o'clock, p. m., the hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

THURSDAY, MARCH 2, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Noethan.

The minutes of yesterday were read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to incorporate the Sing Sing savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A message from the Senate was received and read, informing that they had passed, with the amendment therewith delivered, the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' as far as the same relates to the village of Tonawanda, in the counties of Erie and Niagara."

Mr. Clinton moved to refer said bill to a select committee of three.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Germain moved that the House concur in the amendments to said bill by the Senate.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Germain, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Hollenbeck	McGraw	Sharp
Bailey	Cumming	Howell	McMurray	Sill
Baker	Cushman	Hoyle	Mills	Smalley
R. J. Baldwin	Dewey	Hull	S. F. Miller	Speaker
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Morris	Sterling
Barrow	E. Dunlap	Kinney	Nelson	Suffern
Bancus	Ferguson	Kirkland	Noble	Thompson
Beers	Freeman	Legg	Odell	Townsend
Bennett	Germain	Leigh	Palmer	Underwood
Boardman	Gibbs	Littlefield	Payne	Ward
Boatwick	Gleason	Littlejohn	Richardson	Weed
Brust	Gorham	Lozier	Robertson	Whitman
Burgess	Hall	Mallory	Rowland	Wilder
Burnett	Harpur	Martin	Savage	D. Willis
Case	Hatch	Mather	Sessions	J. E. Willis
Cook	Hinkley	May	Seeley	Winne

80

For the negative,

Peters

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendment, and amended the same accordingly.

On motion of Mr. Mosely Hutchinson, and by unanimous consent,

The bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to authorise the corporation of the city of Auburn to borrow money for the purpose of aiding the construction of a railroad, passing through the said city, and connecting Lake Ontario with the New-York and Erie railroad, or the Cayuga and Susquehannah railroad,' passed July 10, 1851,' passed April 2, 1852," was ordered engrossed for a third reading.

By unanimous consent,

Said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Hatch	McGraw	Scott
Bailey	Case	Hollenbeck	McMurray	Sessions
Baker	Chesbro	Howell	Mills	Seeley

B. J. Baldwin	Conkling	Hoyle	Mitchell	Sheeley
E. Baldwin	Cost	Hull	Morris	SM
Barrow	Crocheron	Mos Hutchinson	Manroe	Smalley
Barton	Cumming	Jenkins	Nelson	Speaker
Backus	Dawson	Kinney	Noble	Sterling
Beers	Dewey	Kirkland	Odell	Thompson
Benedict	A. A. Dunlop	Leigh	Palmer	Townsend
Bennett	R. Dunlap	Littlefield	Payne	Underwood
Bergen	Ferguson	Lozier	Peters	Whitman
Boardman	Freeman	Maguire	Richards	Wilder
Bostwick	Germain	Mallory	Richardson	D. Willis
Boyd	Gibbs	Mather	Robertson	Winne
Brust	Hall	May	Savage	W. H. Wood
Burgess	Harris			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the New-York Institute for the instruction of the deaf and dumb, for the year 1853.

Mr. Savage offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (if the Senate concur,) That twenty-five copies of the annual report of the New-York institution for the instruction of the deaf and dumb, be printed for each member of the Legislature and each officer entitled by the rules to copies thereof, and 750 copies for the use of the institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the trustees of the State library building, which was read and referred to the committee on ways and means.

Mr. Peters moved to reconsider the question of agreeing with the report of the committee on militia and public defence, on the bill entitled "An act to amend an act entitled 'An act for the enrollment of the militia of this State.'"

Mr. D. P. Wood moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Peters to reconsider, and it was determined in the affirmative.

Mr. Sessions moved to refer said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

This being the day prescribed by the rules for general orders, The House then resolved itself into a committee of the whole, on the Senate bill entitled as follows :

"An act to promote medical science."

Debate was had thereon, when

Pending the consideration thereof, the hour of one o'clock and forty-five minutes having arrived, Mr. Speaker resumed the chair and presented the following communications:

From Susan B. Anthony, inviting the members of the Assembly to be present this afternoon at 3 o'clock, at the hearing before their committee on the just and equal rights of women.

From Susan B. Anthony, inviting the members of Assembly to attend a meeting to be held at Association Hall, this evening at 7½ o'clock, at which Ernestine L. Rose and Rev. Wm. H. Channing, are to speak.

Mr. Speaker then declared the House adjourned.

FRIDAY, MARCH 3, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Simmons.

The minutes of yesterday, were read and approved.

On motion of Mr. Clinton, and by unanimous consent,

Resolved, That Prof. Peet be invited to give an exhibition with his pupils before the members of this Legislature, this evening at 7½ o'clock.

Resolved, That the officers of this House be in attendance, and admit to the floor of this chamber only the members of this Legislature.

Resolved, That a copy of the foregoing resolutions be sent to the Senate for their information.

Mr. Speaker announced the appointment of Mr. McGraw on the committee on the internal affairs of towns and counties, in the place of Mr. Monfort, deceased.

By unanimous consent,

Mr. Boyd offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the receiver of taxes of the city and county of New-York, report forthwith to this House, the highest rate per cent, that has been charged upon any taxes collected for which levies have been made, and under what particular law such fees or percentage are authorised, specifying the date of the passage of such law; and also report in what street, and the number of the street in which the office of the collector of arrears of taxes is kept.

Ordered, That said resolution be laid on the table.

On motion of Mr. Bennet, and by unanimous consent,

Resolved, That Assembly bill No. 156, entitled "An act to authorise the towns of Sedus, Arcadia and Phelps, to subscribe for stock of the Sedus Point and Southern railroad, be taken from the

committee of the whole and referred to the delegations from the counties of Ontario and Niagara, to report complete.

On motion of Mr. Conkling, and by unanimous consent,

Resolved, That Assembly bill No. 217, entitled "An act to authorise the imposition of a tax upon certain lands in Herkimer and Hamilton counties to provide means for the completing a road from Morehouse to Salisbury, be taken from the committee of the whole and referred to the Herkimer and Hamilton county delegations, with power to report complete.

On motion of Mr. Littlejohn, and by unanimous consent,

Resolved, That Assembly bill No. 135, entitled "An act to authorise the Commissioners of the land office to sell certain lands, and to convey certain lands under water," be taken from the committee of the whole and recommitted to the standing committee on public lands, with instructions to report the same complete.

Mr. Cumming presented the memorial of the New-York dispensaries for aid, which was read and referred to the committee on ways and means.

Mr. Conkling presented the memorial of the seaman's fund retreat, praying the passage of an act defining their powers and responsibilities, which was read and referred to the committee on commerce and navigation.

Mr. Thorne presented the petition of sundry persons for an appropriation of \$10,000, for the improvement of Saranas river and its tributaries, which was read and referred to the committee on commerce and navigation.

Mr. Angle presented the petition of inhabitants of Monroe co., for canal feeder at Wellsville, which was read and referred to the committee on canals.

Mr. Whitman presented the remonstrance of citizens of Madison county, against changing the route of Sacketts Harbor and Saratoga railroad, which was read and referred to the committee on railroads.

Mr. Hollenbeck presented the remonstrance of citizens of Albany. upon the same subject, which was read and referred to the committee on railroads.

Mr. G. Miller presented two several petitions of inhabitants of Suffolk co., in relation to the Long Island railroad, which were read and referred to the committee on railroads.

Mr. G. Miller presented the petition for an act to extend the charter of the Suffolk county mutual insurance company, which was read and referred to the committee on insurance companies.

Mr. J. S. Wood presented the petition of the faculty of the New-York conference seminary, for aid to the New-York State teachers' association, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. S. Wood presented the petition for the separation of the office of Secretary of State from Superintendent of Common

Schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sterling presented the petition of the surviving trustees of the Lancaster schools society of Poughkeepsie, authorising them to convey real estate of said society, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ward presented the petition of Abram V. Morrell and 79 others, inhabitants of the city of New-York, for a law excluding Roman Catholic teachers from our State schools, and all unabjured foreigners, which was read and referred to the committee on colleges, academies and common schools.

Mr. Gorham presented the memorial of Edward McEntee, ag't sectarianism in common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Jenkins presented the petition of inhabitants of Allegany county, for amendments to the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Ferguson presented the petition of inhabitants of the towns of Moira and Dickinson, for a road from Dickinson centre to township No. 25, in the county of Franklin, which was read and referred to the committee on roads and bridges.

Mr. Holdridge presented the petition of 200 citizens of Monroe county, for an amendment of the "Act for the preservation of public health," which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Littlefield presented the petition of inhabitants of Jefferson county, for a law making forwarding companies jointly liable for losses, damages and delays in transporting property committed to their care, which was read and referred to the committee on the judiciary.

Mr. Dewey presented the petition of 86 citizens of Jefferson co., for a law regulating the transportation of freight, which was read and referred to the committee on the judiciary.

Mr. Angle presented the memorial of the common council of the city of Rochester, for a law requiring the supervisors of the county of Monroe to reconstruct the Main street bridge in said city, which was read and referred to the committee on roads and bridges.

Mr. Boardman presented the petition of S. B. Roberts and others, citizens of Oneida county, for an act to provide for the drainage of a part of the Rome swamp, in the town of Rome, in the county of Oneida, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Mills presented four several remonstrances of the tax payers of the town of Crawford, in the county of Orange, against the bill relative to the alms house in the town of New-York, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Payne presented four several petitions of citizens of Rochester, praying for an amendment of the act entitled "An act for the preservation of the public health;" also the petition of 745 citizens of Monroe, on the same subject, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Palmer presented the petition of citizens of Gerry, Chautauque county, for a law authorising inhabitants of said town to perform highway labor on the Fredonia and Sinclairville plank road, and have such labor operate toward commutation of tolls, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Thorne presented the petition of Esther S. Wilson, for the establishment of a new system of fire insurance companies, which was read and referred to the committee on insurance companies.

Mr. Hall presented the petition of Asa Baxter for pay for an island in the river St. Lawrence, sold by the State, which was read and referred to the committee on claims.

Mr. D. P. Wood presented the petition of citizens of this State, for a law to protect the property of free churches, which was read and referred to the committee on charitable and religious societies.

Mr. Dewey presented the petition of the officers of the Jefferson county agricultural society, for right to hold real estate, which was read and referred to the committee on agriculture.

Mr. McGraw presented the petition of 75 inhabitants of Cortland county, for aid to New-York central college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Littlejohn presented the memorial of the trustees of the Oswego city library, for an act incorporating the same, which was read and referred to the committee on colleges, academies and common schools.

Mr. Mills presented four several remonstrances, signed by 271 tax payers of the county of Orange, against the bill relative to the alms house in the town of Newburgh, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Weed presented the petition of citizens of the city of Buffalo, in favor of a prohibitory liquor law, which was read and referred to the select committee on that subject.

Mr. Sessions, from the committee on ways and means, to which was referred the petition of citizens of Geneseo, Livingston county, praying for a law in relation to the collection of debts due the State on lost paper and evidences of debt, reported, and asked and obtained leave to bring in a bill entitled "An act to amend title three, part third, chapter seven, article eight of R. S., in relation to the collection of debts due the State on lost paper and evidences of debt, which was read the first time, and by unani-

UNANIMOUS consent was also read the second time, and committed to the committee of the whole.

Mr. Littlejohn, from the committee on canals, to which was referred sundry petitions of Lewis county, praying for passage of a law requiring the construction of a canal bridge over the Black river, between towns of Martinsburgh and Greig, reported, adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of Isaac Brown, praying for an amendment of the law relative to escheats, reported, adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of the stockholders of the Brownville female seminary, praying for liberty to sell and dispose of their property, reported, and asked and obtained leave to bring in a bill entitled "An act authorising the Brownville female seminary to sell their real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to change the name of Campbell Pinkney White to Campbell White Pinkney," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, the courts being open to grant the relief sought, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal the act entitled 'An act to facilitate the service of process in certain cases,' passed June 30, 1833," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Peters, from the committee on railroads, to which was referred the bill entitled "An act to regulate the speed of locomotive engines through incorporated cities and villages of this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the bill entitled "An act to amend section 47 of an act to authorise the formation of railroad companies, and to regulate the same, passed April 2, 1850," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the Brooklyn and Gowanus toll bridge company to amend their charter, praying for a bill to alter their tolls, reported, and asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn and Gowanus toll bridge company,' passed April 29, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the president and secretary of the Seneca and Wayne county plank road company, praying for an act to remove a toll gate, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the Seneca and Wayne county plank road company to change a toll gate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to non-resident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act authorising the Bridgewater and Utica plank road company to sell or abandon their road," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the Flushing and Newtown turnpike road and bridge company to reduce their rates of toll and to purchase additional real estate," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the secretary of the Ravenswood, Halletts Cove and Williamsburgh company, praying for an act to borrow money, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the Halletts Cove turnpike and bridge company to borrow twenty-five thousand dollars to rebuild their bridges," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act to enable Ann O. Leary to take and hold certain real estate in the county of Monroe," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act for the more perfect organization of the police department of the city of New-York," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. B. Wood, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to remove certain coarse salt works in the city of Syracuse," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Union, Monroe county, praying for a change of name of said town, reported, and asked and obtained leave to bring in a bill entitled "An act to change the name of the town of Union to that of North Hampton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend and correct 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 4, 1853," reported that the committee had examined said bill, made sundry amendments thereto, and saw

no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act authorising the election of a police justice in the village of Peekskill, and for other purposes," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cook, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Elmira and Horseheads, praying for the town line to be made upon the election district line of the original town of Elmira, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Bailey, from the committee on insurance companies, to which was referred the petition of the members of the Chautauque county mutual insurance company, praying for an extension of their charter, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted, upon the ground that the constitution requires the formation of such claim under a general law.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burgess, from the committee on insurance companies, to which was referred the petition of James H. A. Graham, praying for the passage of a law to protect persons against the legal frauds of the Saratoga mutual fire insurance company, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Barrow, from the committee on claims, to which was referred the petition of George W. Willard, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of George W. Willard," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crocheron, from the committee on public lands, to which was referred the Senate bill entitled "An act for the incorporation of private and family cemeteries," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the select committee, to which was referred the petition of the New-York fire department, praying for the better regulation of the firemen in the city of New-York, reported, and asked leave to bring in a bill entitled "An act for the better regulation of the firemen in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Peters, from the select committee, to which was referred the bill entitled "An act for the further protection of emigrant passengers arriving in the city of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Hatch, from the select committee consisting of the Erie co. delegation, to which was referred the bill entitled "An act to change the time for holding the annual meeting for the election of directors of the East Hamburgh turnpike road company, to reduce the number of directors of said company, and to authorise said company to take increased rates of tolls," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hinkley, from the select committee consisting of the Herkimer and Hamilton county delegations, to which was referred the bill entitled "An act to authorise the imposition of a tax upon certain lands in Herkimer and Hamilton counties, to provide means for completing a road from Morehouse to Salisbury," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 25 copies of the annual report of the Institution for the Deaf and Dumb for the use of the

members of the Legislature and the officers entitled by the rules to the same, and 750 copies for the use of the institution, reported in favor of the adoption of the same, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 10,000 extra copies of the annual report of the State Engineer and Surveyor, on railroad statistics, for the use of the Legislature, and 2,000 copies for the State Engineer, reported in favor of the adoption of the same, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the annual transactions of the New-York State Medical Society for the use of the Legislature, and 1,000 for the society, reported in favor of the adoption of the same, which report was agreed to.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to provide for the election of a fifth justice of the peace in the town of Lenox, in the county of Madison, and for the future election of five justices of the peace in said town."

"An act to authorise the Rome and Oswego road company to abandon portions of their road."

"An act to repeal an act in relation to the powers and duties of the trustees of the village of Walton, passed June 21, 1853."

"An act to amend an act entitled 'An act to incorporate the Mariners' Savings Institution in the city of New-York.'"

"An act to provide for the payment of certain expenses of the Assembly Chamber."

"An act to extend the time for the collection of taxes in certain cities and counties of this state."

"An act to authorise the New-York and Erie bank to change its place of business."

"An act amending the charter of the city of Utica."

Mr. Speaker presented a communication from the Secretary of State, with a copy of the certificate of the board of State canvassers, declaring the result of the special election held the 15th of February last, which was read and referred to the committee on canals.

Mr. Speaker presented the sixth annual report of the Dry Dock Savings Institution, which was read and referred to the committee on banks.

Mr. Speaker presented a communication from the Commissioners of the Land Office, on the old State Hall, in answer to a resolution calling upon them for information about the condition of the State Hall, &c., which was read and committed to the committee of the whole.

A message from the Senate was received and read, informing that that they had non-concurred in the bill entitled as follows:

"An act for the relief of John Brown, of Perinton."

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled as follows:

"An act to provide for the straightening of the Onondaga creek, and draining certain low lands near the southerly bounds of the corporation of the city of Syracuse."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to provide for the election of a fifth justice of the peace in the town of Champlain, in the county of Clinton, and for the future election of five justices of the peace in said town."

Mr. Hoyle moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hoyle, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Mos. Hutchinson	Odell	Stephens
Aiken	Cook	Jenkins	Palmer	Sterling
Bailey	Conkling	Joy	Payne	Suffern
Baker	Cumming	Kirkland	Peters	Thompson
Backus	Cushman	Legg	Richardson	Thorn
E. J. Baldwin	R. Dunlap	Littlefield	Rose	Underwood
S. Baldwin	Edwards	Maguire	Rowland	Ward
Barrow	Fiero	Mallory	Savage	Weed
Barton	Germain	Mather	Scott	Whipple
Beers	Gott	May	Searing	Whitman
Benedict	Harpur	McGraw	Sessions	Wilson
Bennett	Hatch	Mills	Seeley	Wilder
Boardman	Hinkley	G. Miller	Sharp	Williams
Boyd	Holdridge	Mitchell	Sheeley	Winne
Brust	Hollenbeck	Morris	Sill	D. P. Wood.
Burgess	Hoyle	Munroe	Smalley	J. S. Wood
Burnett	Mat. Hutchinson	Noble	Speaker	W. H. Wood
Case				

86

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend the act incorporating the village of Sing Sing."

Mr. Odell moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows;

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Hatch	Mitchell	Sill
Aitkin	Chesebro	Hinkley	Morris	Smalley
Bailey	Clinton	Hollenbeck	Munroe	Speaker
Baker	Cook	Hoyle	Noble	Stephens
Backus	Conkling	Mat. Hutchinson	Odell	Sterling
R. J. Baldwin	Cost	Mos. Hutchinson	Palmer	Suffern
S. Baldwin	Crocheron	Jenkins	Peters	Thorn
Barrow	Cumming	Joy	Randall	Underwood
Barton	Cushman	Kinney	Richardson	Weed
Beers	A. A. Dunlop	Kirkland	Rose	Whipple
Bennett	R. Dunlap	Legg	Rowland	Whitman
Bergen	Edwards	Maguire	Savage	Wilson
Boardman	Ferguson	Mallory	Scott	Wilder
Boyd	Fiero	Mather	Searing	Winne
Brust	Germain	May	Sessions	D. P. Wood
Burgess	Gibbs	McGraw	Seeley	J. S. Wood
Burnett	Harpur	McMurray	Sharp	W. H. Wood 85

For the negative,

Ward

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 66 }
{ NOES 36 }

Those who voted in the affirmative are,

Angle	Cummings	Hull	McGraw	Sessions
Baker	Cushman	Mat. Hutchinson	McMurray	Speaker
R. J. Baldwin	Dewey	Mos. Hutchinson	Mills	Sterling
S. Baldwin	R. Dunlap	Jenkins	Morris	Suffern
Beers	Edwards	Kinney	Odell	Thompson
Bennett	Fiero	Kirkland	Palmer	Thorn
Bergen	Germain	Legg	Payne	Underwood
Boardman	Gibbs	Leigh	Peters	Ward
Burgess	Gott	Littlefield	Preston	Weed
Burnett	Hatch	Littlejohn	Richardson	Whipple
Case	Hinkley	Mallory	Savage	D. Willis
Clinton	Holdridge	Martin	Scott	D. P. Wood
Cook	Hollenbeck	May	Searing	W. H. Wood
Conkling				66

Those who voted in the negative are,

Aitken	Dawson	Maguire	Noble	Sill
Bailey	A. A. Dunlop	Mather	Randall	Ware
Barrow	Gleason	G. Miller	Richards	Whitman

Boyd	Graham	L. Miller	Rose	Wilson
Brust	Harpur	S. F. Miller	Rowland	Wilder
Chesebro	Harris	Mitchell	Seeley	Winne
Cost	Howell	Munroe	Sharp	J. S. Wood
Crocheron				

86

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ware asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse, and it was determined in the negative.

Mr. D. P. Wood moved that the resolution heretofore offered by him to reconsider the final vote upon the bill entitled "An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increase of compensation for work done by him in abating a nuisance on State lands in the city of Syracuse," be taken from the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

Mr. D. P. Wood moved the adoption of said resolution.

Mr. Germain moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, to reconsider, and it was determined in the affirmative, as follows:

{ AYES 65 }
{ NOES 26 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Cook	Graham	Magnire	Seeley
Backus	Conkling	Harpur	Mallory	Sill
R. J. Baldwin	Crocheron	Hull	May	Smalley
S. Baldwin	Cumming	Mat. Hutchinson	McGraw	Speaker
Barrow	Dawson	Mos. Hutchinson	McMurray	Sterling
Barton	Dewey	Jenkins	Mills	Suffern
Bancus	A. A. Dunlop	Kinney	G. Miller	Thorn
Benedict	R. Dunlap	Kirkland	Odell	Underwood
Bergen	Edwards	Legg	Peters	Weed
Bostwick	Germain	Leigh	Richardson	Whipple
Brust	Gibbs	Littlefield	Savage	Wilder
Case	Gleason	Littlejohn	Scott	D. Willis
Clinton	Gott	Lozier	Searing	D. P. Wood

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Those who voted in the negative are,

Angle	Fiero	Joy	Payne	Stephens
Bennett	Harris	Martin	Randall	Ward
Burnett	Hatch	Mather	Roe	Ware

Chesebro
Collins
Cost

Hinkley
Hollenbeck
Howell

S. F. Miller
Morris

Rowland
Sharp

Winne
W. H. Wood

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On motion of Mr. D. P. Wood,
Said bill was laid upon the table.

On motion of Mr. Peters,

The present order of business, third reading of bills, was laid upon the table.

On motion of Mr. Conkling,

Leave of absence was granted him for to-morrow.

On motion of Mr. Savage,

Leave of absence was granted him for to-morrow.

Mr. Hatch gave notice that he would, at some future day, ask leave to introduce a bill to amend the charter of the village of Lancaster, in the county of Erie.

Mr. Mallory gave notice that he would, at some early day, moved to suspend rule 4, of this House, for the purpose of ordering Assembly bill, No. 141, to a third reading, without being acted on in committee of the whole.

On motion of Mr. C. C. Leigh,

The hour of adjournment to-day, was extended to two o'clock, p. m.

Mr. Cumming gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the New-York Pure Milk company.

Mr. Fiero gave notice that he would, at an early day, ask leave to introduce a bill authorising the Comptroller to admit certain taxes levied on non-resident lands in the county of Greene.

Mr. Graham gave notice that he would, at an early day, ask leave to introduce a bill in relation to wharfages, and wharfs and slips in the cities of New-York and Brooklyn.

Mr. Backus gave notice that he would, at the first opportunity, ask leave to introduce a bill to close a part of the Ravenswood, Hallet's Cove and Williamsburgh turnpike and bridge companies road at Green Point.

Mr. Savage gave notice that he would, at an early day, ask leave to introduce a bill relative to pay of jurors and relative to the trial of civil cases.

Mr. Gibbs gave notice that he would, at some future day, ask leave to introduce a bill to amend title four, chapter six, part second of the Revised Statutes.

Mr. Gibbs gave notice that he would, at some future day, ask leave to introduce a bill to amend an act entitled "An act in relation to the partition of land, passed April 14, 1852."

Mr. Fiero gave notice that he would, at an early day, ask leave to introduce a bill for regulating policies in regard to Mutual fire insurance companies.

Mr. Leigh gave notice that he would, at some future day, ask leave to bring in a bill to regulate the fees of commissioners of streets in the city of New-York.

Mr. Leigh gave notice that he would, at some future day, ask leave to bring in a bill to repeal an act entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York, passed April, 1853."

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to amend the poor laws of this State.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to authorise the village of Prattsburgh, to raise money for highway purposes.

Mr. G. Miller gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled "An act relative to railroads on Long Island, passed April 13, 1853."

Mr. Williams gave notice that he would, at some future day, ask leave to bring in a bill to amend the act taxing the debts due to aliens, so that such debts shall be liable for school, highway and corporation taxes.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce bill to provide for taking the next decennial census in this State.

Mr. Conkling gave notice that he would, at an early day, ask leave to introduce a bill to define more distinctly the powers and responsibilities of the trustees of the Seamen's Fund and Retreat.

Mr. Boyd gave notice that he would, at an early day, ask leave to present a bill to repeal the law authorising the receiver of taxes or any one acting in pursuance of his orders, from collecting more than one half of one per cent, as remuneration for collection on the amounts of taxes on personal property for which levies may be made.

By unanimous consent,

Mr. Hatch asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act passed April 14, 1852, entitled 'An act further to amend an act, entitled 'An act authorising the incorporation of rural cemetery associations', passed April 27, 1847,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

In pursuance of previous notice, Mr. Payne asked and obtained leave to introduce a bill entitled "An act to prevent fraud in the purchase of produce," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Sterling asked and obtained leave to introduce a bill entitled "An act to authorise the Lancaster school society to convey the real estate belonging to the said corporation, to the trustees of the village of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Baucus asked and obtained leave to introduce a bill entitled "An act for the relief of the taxable inhabitants of the town of Corinth, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Baldwin asked and obtained leave to introduce a bill entitled "An act to prevent persons living on plank roads from being charged excessive tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Savage asked and obtained leave to introduce a bill entitled "An act to provide and regulate certain duties, and to reduce the fees and costs of the council to the corporation of the city of New-York, in opening, laying out, widening, extending or altering streets, avenues, public squares, public parks, and places in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend title 1, of part 1, of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Savage asked and obtained leave to introduce a bill entitled "An act for the more perfect organization of the police department of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Clinton,

This order of business was laid on the table.

Mr. Speaker announced the offering of resolutions in order.

On motion of Mr. Gleason,

Resolved, That the petitions in relation to the repeal of the several laws relating to the appropriation of school moneys to orphan asylums, presented to this House in 1851, be taken from the files and referred to the committee of the whole.

Mr. Clinton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 30 copies of the statistical list of the Legislature, be printed for each of the members and officers of this House.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Gleason,

Resolved, That the petition and papers on file relating to the claim of Orro Brownell, be taken therefrom and referred to the committee on claims.

On motion of Mr. D. P. Wood,

Resolved, That the Secretary of State be requested to report to this House, the number of copies of each volume of the Documentary History which have been ordered by the Legislature, or either branch thereof, the number of each volume which has been printed, to whom awarded by the Legislature, and to whom delivered, and all other matters of importance in relation to the same within his knowledge.

On motion of Mr. R. J. Baldwin,

Resolved, That the agents of the several State prisons in this State, report to this House, forthwith, all suits which have been commenced against them as such agents, and which are now pending or have proceeded to judgment, and the nature and ground of action in each case, the amount claimed, and the amount and date of judgment; and that they also communicate such information in relation to suits against their predecessors in office, as they may possess or have access to.

On motion of Mr. Benedict,

Resolved, That on and after the first day of March next (except Saturday), this House will convene at 11 o'clock in the morning, take a recess at half-past 1, until half-past 3, in the afternoon, and on Saturday, it will convene at 10 a. m., and adjourn at half-past 1, p. m.

On motion of Mr. Peters,

13th was substituted for 1st.

On motion of Mr. Benedict,

10 o'clock was substituted for 11.

Mr. Clinton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) That this Legislature will adjourn sine die on the 31st day of March, inst.

Ordered, That said resolution be laid on the table.

On motion of Mr. D. P. Wood,

The hour of adjournment was extended five minutes.

Mr. Peters offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill, No. 124, as to unclaimed dividends and deposits in banks, savings institutions and trust companies, be made a special order for Monday next, immediately after reading the journal.

Ordered, That said resolution be laid on the table.

Mr. Savage called up, for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the bill, entitled "An act in relation to the duties of police justices' and their clerks, and the offices of police courts in the city of New-York," be taken from the table and referred to a select committee to report complete, forthwith.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pending further consideration, the hour of five minutes past two o'clock, p. m., having arrived, Mr. Speaker declared the House adjourned.

SATURDAY, MARCH 4, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Noethan.

The minutes of yesterday were read and approved.

Mr. Speaker announced the order of business to be the presentation of petitions.

On motion of Mr. Peters,

This order of business was laid on the table.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print thirty copies of the statistical list of the Legislature for the use of each member and officer of this House, reported, that the committee had examined said resolution, and saw no reason why the same should not be adopted, which report was agreed to.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Lozier,

Said bill retains its original place on the general orders.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,' passed April 10, 1850," reported, that the committee had examined said bill, made sundry amendments thereto,

and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Morris, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the Sing Sing savings bank," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Morris, and by unanimous consent,

Said bill was referred to a special committee, consisting of the Putnam and Ulster county delegations.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act to amend an act to incorporate the Syracuse savings institution," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill entitled "An act for the more effectual suppression of gambling, and the sale of lottery tickets and lottery policies in the city of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the petition of the supervisor, assessors and town clerk of the town of Southport, Chemung county, praying for an extension of the time for the collection of taxes in said town, reported, and asked and obtained leave to bring in a bill entitled "An act to extend the time for the collection of taxes in the town of Southport, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Dewey, from the committee on state charitable institutions, to which was referred that portion of the Governor's message that relates to the charitable of this State, reported, and asked and obtained leave to bring in a bill entitled "An act making appropriations for the erection of buildings for the State asylum for idiots, and for increasing its funds," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of the town of Corinth, in the county of Saratoga, praying for re-

lief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the taxable inhabitants of the town of Corinth in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Weed offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the standing committee on roads and bridges, have power to appoint a clerk to aid them in the discharge of their duties.

Mr. Sessions moved to amend the same by striking out all after the word resolved, and inserting as follows :

That the resolution giving the committee on claims power to appoint a clerk, is hereby rescinded.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative.

Mr. R. J. Baldwin, from the committee on state prisons, to which was referred the petition of Thomas D. Gilson, praying for relief, reported adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to compel the determination of claims to real property, in certain cases," reported, that they have had the same under consideration, and have come to an unfavorable conclusion thereon, upon the ground that the objects of the bill are fully accomplished by the existing laws of this State, and they therefore recommend that the same be rejected, which report was agreed to.

Mr. Cumming, from the committee on trade and manufactures, to which was referred the bill entitled "An act to regulate the tare on new cotton sold in bales," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the petition of Seth B. Roberts and others, citizens of Oneida county, praying for an act to provide for the drainage of a part of the Rome swamp, in

the county of Oneida, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for the drainage of a part of the Rome swamp, in the town of Rome, county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill entitled "An act authorising a tax upon the taxable inhabitants of the town of Shawangunk for the payment of certain costs and expenses incurred by John W. Schoonmaker and Jacob Clearwater, late overseers of said town in four successive suits in the supreme court, while acting as such overseers," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act relating to certain committees of the Senate and Assembly," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies, and common schools, to which was referred the bill entitled "An act to incorporate the Oswego city library," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the board of supervisors of Schoenectady, to levy a tax of five hundred dollars, annually, on the town of Rotterdam, for highway purposes in that town," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots; and regulating pilotage of the port of New-York,' passed June 28, 1853," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the 16th section of title 2, chapter 5, of the second part of the Revised Statutes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Poughkeepsie, praying for an act exempting firemen from highway tax, reported, and asked and obtained leave to introduce a bill entitled "An act to exempt certain firemen from two days highway tax," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mills, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of the village of Malone, in the county of Franklin, for the election of a village constable, reported, and asked and obtained leave to introduce a bill entitled "An act authorizing the village of Malone, of Franklin county, to elect a village constable," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition praying for removing their county buildings, reported, and asked and obtained leave to introduce a bill, entitled "An act to authorize the board of supervisors of the county of Suffolk, to change the site of the court house and jail and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill, entitled "An act to amend the Revised Statutes in relation to the proof of wills," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Edwards, from the committee on railroads, to which was referred the petition of the Sacketts Harbor and Saratoga railroad company, praying for permission to make a part of their road through the counties of Warren and Essex, reported, and asked and obtained leave to introduce a bill entitled "An act to authorize the Sacketts Harbor and Saratoga railroad to construct a part of its road through the counties of Warren and Essex," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bailey, from the committee on insurance companies, to which was referred the petition of members of the Ontario and Livingston mutual insurance company, praying for an extension

of their charter; reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan savings institution,'" reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

On motion of Mr. Aitken, and by unanimous consent,

Said bill was referred to the committee on banks to report complete,

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan savings institution,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be committed to the committee of the whole.

Mr. Angle, from the select committee, consisting of the delegation from Monroe county, to which was referred the bill, entitled "An act for the appointment of a commissioner to revise and amend the charter of the city of Rochester," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Angle, and by unanimous consent,

Said bill was referred to the Monroe delegation, to report complete.

Mr. Sharp, from the committee on public lands, to which was referred the bill entitled "An act to authorize the Commissioners of the Land Office to sell certain lands and to convey certain lands under water," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

Mr. Bennett, from the select committee of the delegations of the counties of Ontario and Wayne, to which was referred the bill entitled "An act to authorize the town ofodus, Arcadia and Phelps, to subscribe for stock of theodus Point and Southern railroad," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Benedict, from the committee on banks, to which was referred the bill, entitled "An act to incorporate the Albany Dime savings bank in the city of Albany," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bailey, from the committee on insurance companies, to which was referred the petition of members of the Ontario and Livingston mutual insurance company for an extension of their charter, reported, adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sessions, from the committee on ways and means, to which was referred the petition of the trustees of the Oxford academy, praying for a loan of three thousand dollars from the capital of the Literature fund, to enable them to complete their buildings, reported, and asked and obtained leave to introduce a bill entitled "An act to loan money to the trustees of the Oxford academy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Rose, and by unanimous consent,

Assembly bill, No. 134, Indian school Cattaraugus reservation, be taken from the committee of the whole and referred back to the committee on Indian affairs, and that it retain its place on the calendar.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows, to wit:

"An act to extend the time for the collection of taxes in the county of Richmond."

On motion of Mr. Bergen, and by unanimous consent,

Said bill was referred to a select committee of the delegations of the counties of Kings and Richmond, to report complete.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to extend the time for the collection of taxes in the counties of Chenango and Broome."

On motion of Mr. Harpur,

Said bill was referred to a select committee, consisting of the Chenango and Broome county delegations, to report the same complete.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to authorise the mortgaging of the real estate of benevolent charitable societies."

Mr. Bergen moved that the House concur in the amendments to said bill by the Senate.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Clinton	Hinkley	G. Miller	Suffern
Bailey	Cost	Hollenbeck	Mitchell	Thorn
Baker	Cumming	Mat. Hutchinson	Morris	Underwood
R. J. Baldwin	Dawson	Jenkins	Nelson	Ward
S. Baldwin	Dewey	Kinney	Odell	Ware
Barrow	A. A. Dunlop	Kirkland	Peters	Weed
Beers	R. Dunlap	Lee	Richardson	Whitman
Benedict	Fiero	Leigh	Searing	Wilson
Bennett	Germain	Maguire	Sharp	Wilder
Bergen	Gibbs	Mather	Sill	D. Willis
Bostwick	Gott	McGraw	Smalley	Williams
Burnett	Graham	McMurray	Speaker	Winne
Cheesbro	Harpur	Mills	Stephens	W. H. Wood 65

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act to authorise the imposition of a tax upon certain lands in Herkimer and Hamilton counties, to provide means for completing a road from Morehouse to Salisbury," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Cook	Hull	Nelson	Stephens
Aitken	Cost	Mat. Hutchinsen	Odell	Suffern
Bailey	Cumming	Jenkins	Palmer	Thorn
Baker	Cushman	Kinney	Peters	Underwood
Backus	Dawson	Kirkland	Randall	Ward
R. J. Baldwin	A. A. Dunlop	Lee	Richardson	Ware
S. Baldwin	R. Dunlap	Legg	Robertson	Weed
Barrow	Edwards	Littlejohn	Rose	Whitman
Bancus	Fiero	Lozier	Searing	Wilson
Beers	Germain	Maguire	Sessions	Wilder
Benedict	Gibbs	Mather	Sharp	D. Willis
Bennett	Gott	McGraw	Seeley	Williams
Bergen	Graham	McMurray	Sill	Winne
Boyd	Harpur	Mills	Smalley	D. P. Wood
Burnett	Hinkley	Mitchell	Speaker	W. H. Wood
Clinton	Hollenbeck			

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bergen, from the select committee, consisting of the Kings and Richmond county delegations, to which was referred Senate bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Harper, from the select committee consisting of the Broome and Chenango delegations, to which was referred the Senate bill entitled "An act to extend the time for the collection of taxes in the town of Chenango, county of Broome," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By order of two-thirds,

The Senate bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Mrs. Hutchinson	Mitchell	Shooley
Aitken	Cumming	Joy	Morris	Sill
Bailey	Cushman	Kinney	Nelson	Smalley
Baker	Dawson	Kirkland	Noble	Speaker
E. J. Baldwin	A. A. Dunlop	Legg	Odell	Stephens
S. Baldwin	R. Dunlap	Littlefield	Palmer	Suffern
Barrow	Fiero	Littlejohn	Peters	Ward
Bancus	Germain	Lowie	Randall	Ware
Beers	Gibbs	Maguire	Richards	Weed
Benedict	Gorham	Mather	Richardson	Whitman
Bennett	Gott	McGraw	Robertson	Wilson
Bergen	Graham	McMurray	Rose	Wilder
Boyd	Harper	Mills	Scott	Williams
Chesebro	Hinkley	G. Miller	Searing	Winne
Clinton	Hollenbeck	L. Miller	Seaton	D. P. Wood
Cook	Mat. Hutchinson	S. F. Miller	Sharp	W. H. Wood
Collins				

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. D. P. Wood, and by unanimous consent,

The bill entitled "An act to incorporate the Oneida plank road company," was ordered to be taken from the committee of the whole and take its place on the calendar.

By order of two-thirds,

The Senate bill entitled "An act to extend the time for the collection of taxes in the counties of Broome and Chenango," coming up for its third reading.

On motion of Mr. Lozier, and by unanimous consent, Said bill was amended in its title and body, so as to extend its provisions to the town of Southport, in Chemung county.

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Mrs. Hutchinson	Morris	SM
Aitkin	Cumming	Jenkins	Nelson	Speaker
Bailey	Cushman	Joy	Odell	Stephens
Baker	Dawson	Kinney	Palmer	Sniffen
Backus	Dewey	Kirkland	Peters	Underwood
B. J. Baldwin	A. A. Dunlop	Lee	Randall	Ward
S. Baldwin	Edwards	Legg	Richards	Weed
Barrow	Fiero	Littlejohn	Richardson	Whitman
Baucus	Germata	Lozier	Robertson	Wilson
Beers	Gibbs	Maguire	Rose	Wilder
Benedict	Gorham	Mather	Scott	D. Willis
Bergen	Gott	McGraw	Searing	Williams
Boyd	Harper	McMurray	Sessions	Winne
Chesbro	Hinkley	Mills	Sharp	D. P. Wood
Clifton	Hull	G. Miller	Sheeley	W. H. Wood
Cook	Mat. Hutchinson	Mitchell		78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to incorporate the Rose Hill savings bank," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Hollenbeck	S. F. Miller	Smalley
Aitken	Cushman	Mat. Hutchinson	Mitchell	Speaker
Bailey	Dawson	Mrs. Hutchinson	Nelson	Stephens
Baker	Dewey	Jenkins	Noble	Sniffen
Backus	A. A. Dunlop	Kinney	Palmer	Thorn
S. Baldwin	E. Dunlop	Kirkland	Peters	Underwood
Barrow	Edwards	Legg	Richards	Ward
Baucus	Fiero	Littlefield	Richardson	Ware
Beers	Germain	Littlejohn	Robertson	Weed
Benedict	Gibbs	Maguire	Scott	Whitman
Bennett	Gorham	Martin	Searing	Wilson
Bergen	Gott	Mather	Sessions	Wilder

Burnett
Clinton
Cook
Crest

Graham
Harpur
Hinkley

McGraw
McMurray
G. Miller

Sharp
Sheeley
Sill

D. Willis
Winne
D. P. Wood

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Oneida plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Nelson	Speaker
Atkin	Cumming	Mat. Hutchinson	Noble	Stephens
Bailey	Cushman	Mos. Hutchinson	Odell	Suffern
Baker	Dawson	Kinney	Palmer	Thorn
Backus	Dewey	Kirkland	Peters	Underwood
S. Baldwin	A. A. Dunlop	Legg	Randall	Ware
Barrow	R. Dunlap	Littlefield	Richards	Weed
Baucus	Edwards	Littlejohn	Richardson	Whitman
Beers	Fiero	Maguire	Robertson	Wilson
Benedict	Germain	Mather	Searing	Wilder
Bennett	Gibbs	McGraw	Sessions	D. Willis
Bergen	Gott	McMurray	Sharp	Williams
Boyd	Graham	Mills	Sheeley	Winne
Burnett	Harpur	Mitchell	Sill	D. P. Wood
Clinton	Hinkley	Morris	Smalley	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Bloomingdale savings bank," coming up for its third reading.

On motion of Mr. Peters, and by unanimous consent,

The provisions of said bill authorising investments in city stocks was stricken out.

On motion of Mr. Barrow, and by unanimous consent,

Said bill was amended as follows :

Sec. 3. Strike out from first line the words "as such."

Sec. 6. Strike out all after the words "United States" in the fourth line to the word or, in the last part of 5th line.

Add at end of section 6, the following : Provided, however, that no loan shall be made under this section upon any stock or securities whatever, to a greater amount than three-fourths of the actual cash value of such stock or securities at the time of making such loan.

Sec. 10. Insert in fifth line after the word purpose, the words "or any depositor."

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	McMurray	Speaker
Aitkin	Cost	Hollenbeck	Mills	Stephens
Bailey	Cumming	Hull	G. Miller	Suffern
Baker	Cushman	Mat. Hutchinson	Mitchell	Thorn
Beckus	Dawson	Mos. Hutchinson	Morris	Underwood
S. Baldwin	Dewey	Jenkins	Noble	Ward
Barrow	A. A. Dunlop	Joy	Odell	Weed
Baucus	R. Dunlap	Kinney	Palmer	Whitman
Beers	Edwards	Kirkland	Peters	Wilson
Benedict	Fiero	Legg	Richardson	Wilder
Bennett	Germain	Littlejohn	Robertson	D. Willis
Bergen	Gibbs	Lozier	Searing	Williams
Bostwick	Gott	Maguire	Sessions	Winne
Burnett	Graham	Mather	Sharp	D. P. Wood
Clinton	Harpur	McGraw	Sill	W. H. Wood 75

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to authorize Edward Van Wart to establish and continue a ferry across the Hudson river, from Sing Sing to Rockland lake and Haverstraw," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	McGraw	Sill
Aitkin	Cook	Hull	McMurray	Smalley
Bailey	Cost	Mat. Hutchinson	Mitchell	Speaker
Baker	Cumming	Mos. Hutchinson	Morris	Suffern
Beckus	Cushman	Jenkins	Nelson	Thorn
R. J. Baldwin	Dawson	Joy	Noble	Underwood
S. Baldwin	Dewey	Kinney	Odell	Ware
Barrow	A. A. Dunlop	Kirkland	Palmer	Weed
Baucus	R. Dunlap	Legg	Peters	Whitman
Beers	Edwards	Littlefield	Richards	Wilson
Benedict	Fiero	Littlejohn	Richardson	Wilder
Bennett	Germain	Lozier	Robertson	D. Willis
Bergen	Gibbs	Maguire	Searing	Williams
Bostwick	Gott	Martin	Sessions	Winne
Boyd	Graham	Mather	Sharp	D. P. Wood
Burnett	Harpur	May	Sheeley	W. H. Wood
Chesbro				81

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Searing, from the select committee consisting of the Kings and Queens county delegates, to which was referred the Senate bill entitled "An act to amend an act authorising the laying of railroad tracks in Division avenue, county of Kings," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baker moved to reconsider the final vote taken yesterday on the bill entitled "An act authorising the supervisors of the city and county of New-York to levy taxes."

Mr. Benedict moved to lay said motion on the table.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to reconsider said vote, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 56 }
{ NOES 28 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Harpur	Mather	Searing
Aitken	Collins	Hinkley	Mills	Sharp
Baker	Cost	Hollenbeck	G. Miller	Sheeley
S. Baldwin	Cushman	Mat. Hutchinson	L. Miller	Sill
Barrow	Dawson	Joy	Mitchell	Suffern
Baucus	Dewey	Kinney	Morris	Ware
Beers	A. A. Dunlop	Kirkland	Nelson	Whitman
Benedict	Germain	Legg	Noble	Wilson
Bennett	Hibbs	Littlefield	Odell	Wilder
Boyd	Gott	Littlejohn	Palmer	Williams
Chesebro	Graham	Maguire	Richards	W. H. Wood
Clinton				

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Those who voted in the negative are,

Bailey	Edwards	Lozier	Robertson	Thorn
Backus	Fiero	Martin	Rose	Underwood
Bergen	Gorham	McGraw	Scott	Ward
Bennett	Hull	Peters	Smalley	Weed
Cumming	Mos. Hutchinson	Randall	Speaker	Winne
R. Dunlap	Jenkins	Richardson		

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Mr. Speaker announced the business in order to be the presentation of notices.

On motion of Mr. Peters,

This order of business was laid upon the table.

On motion of Mr. Lozier, and by unanimous consent,

Resolved, That the bill, entitled "An act to authorise the sales of real estate to be published in Assembly districts, be referred to a select committee to report complete.

Mr. Speaker announced as such committee, Messrs. Lozier, Nelson and Mather.

On motion of Mr. Germain, and by unanimous consent,

Resolved, That the bill to amend the charter of the city of Buffalo, be referred to a select committee, consisting of the Erie delegation, to report complete.

On motion of Mr. Odell, and by unanimous consent,

Resolved, That the Senate bill to authorise the election of a police justice in the village of Peekskill, be ordered to a third reading.

On motion of Mr. Morris, and by unanimous consent,

Resolved, That the bill entitled "An act providing for the completion of the opening and grading of Division avenue in the county of Kings, and for the paving and otherwise improving the same," be referred to a select committee consisting of the Kings and Queens delegations to report complete.

On motion of Mr. Moseley Hutchinson, and by unanimous consent.

The Senate bill, entitled "An act in relation to the Natural History of the State of New-York," was referred to a select committee to report complete.

Mr. Speaker announced as such committee, Messrs. Moseley Hutchinson, Joy, Harpur, Boyd and Cushman.

On motion of Mr. Morris, and by unanimous consent,

Resolved, That the bill to authorise the county judge of Kings county, to appoint a crier for the court of sessions, be referred to a select committee, consisting of the Kings delegation, to report complete.

On motion of Mr. Littlejohn, and by unanimous consent,

Resolved, That the bill to provide for the payment of the expenses of printing ballots for the late special election, be referred to a select committee to report complete.

Mr. Speaker announced as such committee, Messrs. Littlejohn, Palmer and Searing.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act in relation to the fees of the sheriff of the city and county of New-York, on summoning jurors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Aitken asked and obtained leave to introduce a bill entitled "An act to provide for the better security of the lives of passengers on board steam ferry boats, or steamers used as ferry boats navigating the waters of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Gibbs asked and obtained leave to introduce a bill entitled "An act to amend title

4, chapter 6, part second of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Gibbs asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the partition of lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Backus asked and obtained leave to introduce a bill entitled "An act to close part of the road of the Ravenswood, Hallett's Cove and Williamsburgh turnpike and bridge company at Green Point, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act for the legalizing of Mutual Fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to enable the Comptroller to admit certain taxes on the non-resident lands in the county of Green," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In pursuance of previous notice, Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to incorporate the New-York pure milk company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorise the citizens of the village of Prattsburg, to raise money for highway purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, and by unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the poor laws of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Ward asked and obtained leave to introduce a bill entitled "An act to amend an act relative to common schools in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. R. J. Baldwin asked and obtained leave to introduce a bill entitled "An act to amend the several acts in relation to State Prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

In pursuance of previous notice, Mr. Graham asked and obtained leave to introduce a bill entitled "An act for the better regulation of wharfwages, and the use of wharves and slips in the cities of New-York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Peters offered for the consideration of the House a preamble and resolution, in the words following, to wit:

Whereas, The repeal of the Missouri compromise, and the violation of a solemn national compact by the passage of the Nebraska bill in the United States Senate, establishes the melancholy fact that the stern issue, whether freedom or slavery shall hereafter control their destinies, must now be met by the people of these United States, and that the time has come for the friends of freedom to take action and energetic measures to prevent, not only the extension of slavery over free soil, but also to preserve the very existence of freedom itself; therefore be it

Resolved, (if the Senate concur,) That the several States and territories of the Union opposed to the violation of the Missouri compromise, and thereby the extension of slavery into territory now free, be requested to send as many delegates as they have representatives in Congress, to a council of freemen, to be held at the Capitol in the city of Albany, on Wednesday, the 19th day of April next.

Ordered, That said preamble and resolution be laid on the table.

On motion of Mr. Benedict,

Resolved, That the petition and papers of Lorenzo Bates be taken from the files of this House, and referred to the committee on claims.

On motion of Mr. Bergen, and by unanimous consent,

Resolved, That Assembly bill No. 216, being an act in relation to the Brooklyn city railroad, be taken from the committee of the whole and referred to a select committee consisting of the Kings and Queens county delegations, to report complete.

Mr. Ward called up, for the consideration of the House, the resolution heretofore offered by him, proposing the appointment of a select committee of nine, to consider bills on the general orders, and moved the adoption of the following:

Resolved, That there be appointed a select committee of nine, whose duty it shall be to consider all bills on the general orders, and to select therefrom such bills as are in their judgment proper to be referred to select committees to report complete, and that

such bills, when so reported, be thus referred. But no bill shall be reported from such committee except with the assent of a majority of all the members thereof, and no bill shall be thus reported which proposes to make an appropriation from the State treasury; and said committee shall report to the House a list of the bills which they shall so select, each day when such selection shall be made.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Benedict offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That 500 more copies of the annual report of the managers of the State Lunatic Asylum be printed for the use of the managers thereof.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Gott offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the messengers be supplied by the Clerk with stationery to the amount of ten dollars.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Legg offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That our Representatives in Congress be requested to use their influence to have the war sword that Gen. Jackson bequeathed to Gen. Armstrong, presented to Capt. Ingraham, (if not otherwise ordered,) as a deserved testimonial for the brilliant military halo his acts have shed around the American name.

Ordered, That said resolution be laid on the table.

In pursuance of previous notice,

Mr. R. Dunlap moved the suspension of the fourth rule for the purpose of taking Senate bill No. 28 from the committee of the whole, and having it referred to the Niagara delegation, to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. Dunlap, and it was determined in the affirmative.

On motion of R. Mr. Dunlap,

Resolved, That said bill be so referred.

On motion of Mr. Thorn, and by unanimous consent,

Resolved, That Assembly bill No. 191, entitled "An act to amend article fifth, title third, chapter seven, part third, of the Revised Statutes, entitled of proceedings to perpetuate testimony," be referred to a select committee to report complete.

Mr. Speaker announced as such committee Messrs. Thorn, Burnett and W. H. Wood.

Mr. McGraw offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the Speaker is hereby authorised to appoint some competent and reliable person to convey the mail communications of this House to and from the city Post Office, at such hours and number of times per day as the Post Master of this House may direct; and the person so appointed shall receive for such services a sum not exceeding two dollars per day.

Debate was had thereon, when

Ordered, That said resolution be laid on the table.

On motion of Mr. Suffren, and by unanimous consent,

Resolved, That Assembly bill No. 290, to legalize the annual election of 1853 for village officers, in the village of Piermont, county of Rockland, be ordered to a third reading.

On motion of Mr. Lozier,

Resolved, That the vestry of Trinity church, in the city of New-York, be and they are, hereby requested to report to this House, before the first day of April next, a detailed statement of the number of lots of land, where situated if under lease, when the leases will expire, the annual rents and incomes of all their property from whatever source derived, and also the amount of debt, owing by the vestry of said church, and the dates, when each debt will be payable.

On motion of Mr. R. Dunlop,

Resolved, The papers on file relating to the claim of A. S. Prentiss, be taken from the files and referred to the committee on claims.

On motion of Mr. D. P. Wood,

Resolved, That the papers in the case of B. F. Green, be taken from the files and referred to the committee on grievances.

Mr. Randall offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on public printing be requested to investigate and ascertain whether the manuals for 1854 are bound in so cheap and imperfect a manner, for the use of the members and officers of the Legislature, expressly for the encouragement of retrenchment, and report the result of their investigation to the House.

Ordered, That said resolution be laid on the table.

On motion of Mr. Angle,

Resolved, That the reports of the Canal Appraisers in relation to the claim of Jacob Graves, and others, be referred to a select committee.

Mr. Speaker announced, as such committee, Messrs. Angle, Mallory, Weed, Conkling and Gibbs.

On motion of Mr. Weed,

Resolved, That the call heretofore made by this House, upon the Auditor of the Canal Department, for certain allowances made to contractors by the Canal Board, be extended, so as to include all awards made by the Canal Board from their organization down to the 1st day of March inst.

Mr. Benedict called up for the consideration of the House, a resolution heretofore offered by him, in the words following, to wit :

Resolved, That the committee on banks be requested to compile and consolidate the several acts in relation to banking now in force, including such amendments thereto as may pass this session in one act, and the same published in the session laws of 1854.

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on canals be and the same are hereby instructed to make their report upon the act levying half tolls upon certain railroads within three days from this date.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

Mr. Boyd called up, for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the receiver of taxes of the city and county of New-York, report forthwith to this House, the highest rate per cent, that has been charged upon any taxes collected for which levies have been made, and under what particular law such fees or percentage are authorised, specifying the date of the passage of such laws; and also report in what street, and the number of the street in which the office of the collector of arrears of taxes is kept.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lozier moved that when this House adjourns to-day it adjourns to meet at 3 o'clock p. m., on Monday.

On motion of Mr. D. P. Wood,

The time of adjournment was extended ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative, as follows :

{ AYES 29 }
{ NOES 45 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

S. Baldwin	Dewey	Graham	Mills	Stephens
Benedict	A. A. Dunlop	Hollenbeck	S. F. Miller	Thorn
Chesbro	Fiero	Lozier	Richards	Wilder
Cook	Germain	Maguire	Rose	D. Willis
Coit	Gibbs	Martin	Sheeley	Whane
Cushman	Gott	McMurray	Smalley	

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Those who voted in the negative are,

Angle	Collins	Kinney	Morris	Suffern
Baker	Cumming	Kirkland	Noble	Underwood
Backus	R. Dunlap	Legg	Odell	Ward

E. J. Baldwin	Harpur	Littlefield	Peters	Weed
Barrow	Hinkley	Littlejohn	Randall	Whitman
Beers	Mat. Hutchinson	Mitchell	Richardson	Wilson
Bennett	Mos. Hutchinson	Mather	Scott	Williams
Bergen	Jenkins	McGraw	Searing	D. P. Wood
Boyd	Joy	G. Miller	Speaker	W. H. Wood 45

By unanimous consent,

Mr. Bergen presented the petition of citizens of Brooklyn to amend the act in relation to railroads on Long Island, which was read and referred to the committee on railroads.

By unanimous consent,

Mr. A. A. Dunlop presented the petition of citizens of Albany county, asking time for the retirement of the good bills of expired banks, and that where Arkansas stock is pledged to secure bills, that some other good stocks be substituted in its place, which was read and referred to the committee on banks.

On motion of Mr. G. Miller,

Leave of absence was granted to Mr. Preston for one week.

On motion of Mr. Baucus,

Leave of absence was granted to Mr. Gleason, until next Wednesday.

Mr. Speaker announced the following as the select committee on bills in committee of the whole :

Messrs. Ward, Odell, Harris, Stephens, Richards, Lozier, Wilder, Bergen and Weed.

At five minutes to 2 o'clock, Mr. Speaker declared the House adjourned.

MONDAY, MARCH 6, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of Saturday were read and approved.

Mr. Harpur presented two several remonstrances of inhabitants of Otsego county, against changing the name of the town of Morris, in said county, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Mather presented the petition of 76 freeholders of Plainfield, for alteration in assessment law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Weed presented the remonstrances of Geo. Palmer and others, citizens of Buffalo, and real estate holders therein, against amendments to the charter of the said city, which was read and referred to a select committee.

Mr. Scott presented the petition of Stephen Dennis for power to remove certain persons buried on his farm, in Seneca county,

which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Brust presented the petition of Leonard Major and Frances Smith for relief for injuries received in the service of the militia of this State, which was read and referred to the committee on militia and public defence.

Mr. Backus presented the petition of the Brooklyn female academy, for an appropriation out of the literature fund, by reason of the loss of the academy buildings by fire, which was read and referred to the committee on colleges, academies and common schools.

Mr. Germain presented the petition of sundry property holders of the city of Buffalo, that Scadaquada creek, in the city of Buffalo, at and near its mouth be made a canal basin, which was read and referred to the committee on canals.

Mr. Preston presented the petition of inhabitants of Brookhaven, Suffolk county, for an act authorising the election of seven assessors, and eight justices of the peace for said town, which was read and referred to the committee on the judiciary.

Mr. Bailey presented the petition of citizens of Addison, praying that the offices of Secretary of State and Superintendent of Common Schools be separate offices, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bailey presented the petition of inhabitants of Addison, for relief to the New-York State teachers' association, which was read and referred to the committee on ways and means.

Mr. Littlefield presented the remonstrance of citizens of Oswego, against the passage of a law increasing the salary of the recorder in that city, which was read and committed to the committee of the whole.

Mr. Mills presented ten several remonstrances of inhabitants of the county of Orange, against the bill relative to the alms house in the town of Newburgh, which were and referred to the committee on the internal affairs of towns and counties.

Mr. ——— presented the petition of I. W. Holcomb and others, citizens of Ticonderoga, for an act to incorporate companies to navigate the canals of this State, which was and committed to the committee of the whole.

Mr. Germain presented the petition of citizens of this State, residing along the Niagara river, for a reduction of the rates of fare on the Buffalo and Niagara Falls railroad, which was read and referred to the committee on roads and bridges.

Mr. Germain presented the petition of Joel W. White, for relief, which were read and referred to the committee on claims.

Mr. Gibbs presented four several remonstrances of inhabitants of towns of Livonia and Conesus, against a division of the county of Livingston; also the remonstrance of the county officers of the county of Livingston, against erecting a jail at Danville, also against dividing said county into two jury districts, which were

read and referred to the committee on the erection and division of towns and counties.

Mr. Hull presented the petition of inhabitants of Amsterdam, Montgomery county, in relation to the circulation of the notes of safety fund banks, which was read and committed to the committee of the whole.

Mr. Graham presented the remonstrance of K. Halhaway and 55 others, owners or captains of boats navigating the canals, against incorporating companies to navigate lakes, rivers and canals of this State, which was read and committed to the committee of the whole.

Mr. Gibbs presented the remonstrance of inhabitants of the town of Lima, against incorporating companies to navigate the canals and inland waters of this State, which was read and committed to the committee of the whole.

Mr. Germain presented the petition of inhabitants of Tonawanda, for a law to reduce the fare on the Buffalo and Niagara Falls railroad, which was read and referred to the committee on railroads.

Mr. Randall presented the petition of 30 citizens of Hector, Tompkins county, praying for a new county from near the head of Seneca lake; also the petition of 55 citizens of Dix and Reading, for a new county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Kirkland presented the remonstrance of 101 citizens of the town of Great valley, Cattaraugus county, against an amendment of the general plank road law, which was read and referred to the committee on roads and bridges.

Mr. McGraw presented the petition of 50 ladies of Virgil, Cortland county, for New-York liquor law, which was read and referred to a select committee.

Mr. Kirkland presented two petitions of citizens of Perrysburgh, Cattaraugus county, praying for the separation of the office of Superintendent of Schools from Secretary of State, which were read and referred to the committee on colleges, academies and common schools.

Mr. Kirkland presented the petition of citizens of Perrysburgh, Cattaraugus county, for an appropriation to the State teachers association, which was read and referred to the committee on ways and means.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Seth Hunt praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Seth Hunt," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the village of Poughkeepsie, praying for a repeal of the charter of the Pough-

keepsie Lancaster School company, reported, and asked and obtained leave to introduce a bill, entitled "An act to repeal the charter of the Poughkeepsie Lancaster School company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1801," reported, that the committee had examined said bill, made an amendment thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of Oliver Teall, praying for relief, reported in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of Oliver Teall," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend the act relative to common schools in the city of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. S. Baldwin,

Resolved, That J. G. Case have leave to withdraw his petition and papers in relation to his claim for canal damages.

Mr. Odell, from the select committee consisting of the Westchester and Putnam delegation, to which was referred the bill, entitled "An act to incorporate the Livingston savings bank," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. R. Dunlap, from the select committee consisting of the Niagara county delegation, to which was referred the Senate bill, entitled "An act to incorporate the Niagara Falls water works company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. _____, from the select committee to which was referred the Senate bill, entitled "An act in relation to the Natural History of the State of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the select committee, to which was referred the bill entitled "An act to amend act 5, title 3, chapter 7 of the Revised Statutes, entitled 'of proceedings to perpetuate testimony,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee, to which was referred the bill, entitled "An act to defray the expense of printing ballots for the extra election," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Whitman, from the select committee to which was referred the bill, entitled "An act relating to highways in the town of Smithfield, in the county of Madison," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Randall, from the minority of the committee on railroads, to which was referred the petition and papers asking for a change of the route of the Saratoga and Sacketts Harbor railroad, submitted a report in writing, and ordered to be printed.

Mr. Speaker presented a communication from the Regents of the University, requesting that 1,000 copies of the annual report of the trustees of the State Library be printed for the use of said trustees.

The report of the Canal Appraisers upon the petition of Charles Cook, in obedience to a resolution of the Assembly, adopted Feb., 25, 1854, was read and referred to the committee on canals.

The appendix to the report of the Commissioners of Emigration previously presented to this House.

The annual report of the governors of the New-York hospital of the State, of the establishments under their care during the year 1853, as prescribed by law.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for additional notaries public in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the Watertown and Rome railroad company to endorse the bonds of the Pottsdam and Watertown railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to settle the boundary line between Hiram Sackett and the lands of the Seneca nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Chenango, in the county of Broome,"

Mr. Harpur moved that the House concur in the same.

Mr. Speaker put the question 'whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Jenkins	Mitchell	Stephens
Baker	Cushman	Joy	Munroe	Suffern
Backus	Dawson	Kinney	Odell	Underwood
R. J. Baldwin	A. A. Dunlop	Kirkland	Palmer	Ward
S. Baldwin	R. Dunlap	Lee	Peters	Weed
Barrow	Germain	Legg	Randall	Whipple
Beers	Gibbs	Littlefield	Richards	Whitman
Benedict	Gorham	Littlejohn	Richardson	Wilson
Bennett	Harpur	Losier	Robertson	Wilder
Bergen	Hinkley	Mather	Scott	Williams
Boyd	Hollenbeck	McGraw	Sessions	Winne
Brust	Hull	Mills	Seeley	D. P. Wood
Clinton	Mat. Hutchinson	G. Miller	Sharp	W. H. Wood
Cook	Mos. Hutchinson	L. Miller	Speaker	69

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Ilion, in the county of Herkimer."

Mr. Hinckley moved that the House concur in the same.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Hollenbeck	Mills	Sharp
Aitken	Cook	Hull	L. Miller	Speaker
Bailey	Collins	Mat. Hutchinson	Mitchell	Stephens
Baker	Cushman	Mos. Hutchinson	Munroe	Sterling
Backus	Dawson	Jenkins	Odell	Suffern
R. J. Baldwin	A. A. Dunlop	Joy	Palmer	Ward
S. Baldwin	R. Dunlap	Kinney	Peters	Weed

Barrow	Edwards	Kirkland	Randall	Whipple
Beers	Ferguson	Lee	Richards	Wilson
Benedict	Germain	Legg	Richardson	Wilder
Bennett	Gibbs	Leigh	Robertson	D. Willis
Bergen	Gleason	Littlefield	Scott	Williams
Bostwick	Graham	Littlejohn	Searing	Winne
Boyd	Hall	Lozier	Sessions	D. P. Wood
Brust	Harpur	Mather	Seeley	W. H. Wood
Burnett	Harris			

77

For the negative,

Whitman

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had concurred in said amendments, and amended the same accordingly.

On motion of Mr. Benedict, and by unanimous consent,

The bill, entitled "An act to confirm new powers and duties upon the court of oyer and terminer of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	L. Miller	Sterling
Aitkin	Collins	Mos. Hutchinson	Mitchell	Suffern
Bailey	Cushman	Jenkins	Munroe	Thorn
Baker	Dawson	Joy	Palmer	Underwood
Backus	A. A. Dunlop	Kinney	Peters	Ward
R. J. Baldwin	R. Dunlap	Kirkland	Randall	Weed
S. Baldwin	Edwards	Lee	Richards	Whipple
Barrow	Ferguson	Legg	Richardson	Whitman
Beers	Germain	Leigh	Robertson	Wilson
Benedict	Gibbs	Littlefield	Savage	Wilder
Bennett	Gorham	Littlejohn	Searing	D. Willis
Bergen	Graham	Lozier	Sessions	Williams
Bostwick	Harpur	Mather	Sharp	Winne
Brust	Harris	McGraw	Speaker	D. P. Wood
Burnett	Hinkley	Mills	Stephens	W. H. Wood
Clinton	Hollenbeck			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to legalise the annual election for the village officers held in the village of Piermont, county of Rockland, on the first Tuesday of March, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 60 }

Those who voted in the affirmative are,

Angle	Collins	Jenkins	Munroe	Sterling
Altken	Cumming	Joy	Odell	Suffern
Bailey	Cushman	Kinney	Palmer	Thorn
Baker	Dawson	Kirkland	Peters	Underwood
Backus	A. A. Dunlop	Lee	Randall	Wade
R. J. Baldwin	B. Dunlap	Legg	Richards	Ward
S. Baldwin	Edwards	Leigh	Richardson	Weed
Barrow	Ferguson	Littlefield	Robertson	Whipple
Beers	Germain	Littlejohn	Savage	Whitman
Benedict	Gibbs	Lozier	Scott	Wilson
Bennett	Graham	Martin	Searing	Wilder
Bergen	Harpur	Mather	Sessions	D. Willis
Boyd	Harris	McGraw	Seeley	Williams
Brust	Hull	G. Miller	Sharp	Winne
Burnett	Mat. Hutchinson	L. Miller	Speaker	D. P. Wood
Clinton	Mos. Hutchinson	Mitchell	Stephens	W. H. Wood
Cook				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to defray the expense of printing ballots for the extra election," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Collins	Mat. Hutchinson	Mitchell	Stephens
Altken	Cumming	Mos. Hutchinson	Munroe	Sterling
Bailey	Cushman	Jenkins	Odell	Suffern
Baker	Dawson	Joy	Palmer	Thorn
Backus	A. A. Dunlop	Kinney	Peters	Underwood
R. J. Baldwin	B. Dunlap	Kirkland	Randall	Ward
S. Baldwin	Edwards	Lee	Richards	Weed
Barrow	Ferguson	Legg	Richardson	Whipple
Beers	Germain	Leigh	Robertson	Whitman
Benedict	Gibbs	Littlefield	Savage	Wilson
Bennett	Graham	Littlejohn	Scott	Wilder
Bergen	Harpur	Lozier	Searing	D. Willis
Boyd	Harris	Maguire	Sessions	Williams
Brust	Hinkley	Mather	Seeley	Winne
Burnett	Hollenbeck	McGraw	Sharp	D. P. Wood
Cook	Hull	L. Miller	Speaker	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill, entitled "An act to amend an act authorising the laying of railroad tracks in Division avenue, county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Cumming	Mat. Hutchinson	L. Miller	Sterling
Bailey	Cushman	Mos. Hutchinson	Mitchell	Suffern
Baker	Dawson	Jenkins	Munroe	Thorn
Backus	A. A. Dunlap	Kinney	Odell	Underwood
R. J. Baldwin	R. Dunlap	Kirkland	Palmer	Wade
S. Baldwin	Edwarda	Lee	Peters	Weed
Barrow	Ferguson	Legg	Randall	Whipple
Beers	Germain	Leigh	Richards	Whitman
Benedict	Gibbs	Littlefield	Richardson	Wilson
Bennett	Gorham	Littlejohn	Robertson	Wilder
Bergen	Graham	Loxier	Savage	D. Willis
Boatwick	Harpur	Maguire	Scott	Williams
Boyd	Harris	Mather	Searing	Winne
Brust	Hinkley	McGraw	Sessions	D. P. Wood
Burnett	Hollenbeck	Mills	Speaker	W. H. Wood
Cook	Hull	G. Miller	Stevens	

79

Those who voted in the negative are,

Collins	Joy	Seeley	8
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The Senate bill, entitled "An act authorising the election of a police justice in the village of Peekskill, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hollenbeck	Mills	Sharp
Aitken	Cook	Hull	L. Miller	Speaker
Bailey	Collins	Mat. Hutchinson	Mitchell	Stevens
Baker	Cumming	Mos. Hutchinson	Munroe	Sterling
Backus	Cushman	Jenkins	Noble	Suffern
R. J. Baldwin	Dawson	Joy	Odell	Thorn
S. Baldwin	A. A. Dunlap	Kinney	Palmer	Ward
Barrow	R. Dunlap	Kirkland	Peters	Ware
Baucus	Edwarda	Lee	Randall	Weed
Beers	Ferguson	Legg	Richards	Whipple
Benedict	Germain	Leigh	Richardson	Whitman
Bennett	Gibbs	Littlefield	Robertson	Wilson
Bergen	Gorham	Littlejohn	Savage	Wilder
Boatwick	Graham	Loxier	Scott	D. Willis
Boyd	Harpur	Maguire	Searing	Winne
Brust	Harris	Mather	Sessions	W. H. Wood
Burnett	Hinkley	McGraw	Seeley	

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill, entitled "An act in relation to the Natural History of the State of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	L. Miller	Speaker
Aitken	Collins	Mos. Hutchinson	Mitchell	Stephens
Bailey	Cumming	Jenkins	Munroe	Sterling
Baker	Cushman	Joy	Noble	Suffern
Backus	Dawson	Kinney	Odell	Thorn
E. J. Baldwin	A. A. Dunlop	Kirkland	Palmer	Underwood
S. Baldwin	R. Dunlap	Lee	Peters	Ward
Barrow	Edwards	Legg	Randall	Weed
Beers	Ferguson	Leigh	Richards	Whipple
Benedict	Germain	Littlefield	Richardson	Whitman
Bennett	Gibbs	Littlejohn	Robertson	Wilson
Bergen	Graham	Lozier	Savage	Wilder
Bostwick	Harpur	Maguire	Scott	D. Willis
Boyd	Harris	Mather	Searing	Williams
Brust	Hinkley	McGraw	Sessions	Winne
Barnett	Hollenbeck	Mills	Seeley	D. P. Wood
Clinton	Hull	G. Miller	Sharp	W. H. Wood 85

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill, entitled "An act to incorporate the Sing Sing savings banks," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Cook	Hollenbeck	Munroe	Speaker
Aitken	Cumming	Mos. Hutchinson	Odell	Sterling
Bailey	Cushman	Jenkins	Palmer	Suffern
Baker	Dewey	Kinney	Peters	Thorn
Backus	A. A. Dunlop	Kirkland	Richards	Underwood
S. Baldwin	R. Dunlop	Lee	Richardson	Ward
Barrow	Edwards	Legg	Robertson	Weed
Beers	Ferguson	Littlejohn	Savage	Whipple
Benedict	Gibbs	Lozier	Scott	Whitman
Bennett	Graham	Mather	Searing	Wilson
Bergen	Harpur	McGraw	Sessions	Wilder
Bostwick	Harris	Mills	Seeley	Winne
Boyd	Hinkley	Mitchell	Sharp	W. H. Wood
Brust				6

Ordered, That the clerk deliver said bill to the Senate with a message informing that the Assembly have passed the same without amendment.

In pursuance of previous notice, Mr. Winne asked and obtained leave to introduce a bill entitled "An act relative to the support of the poor of the county of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act enlarging and more strictly defining the powers of the trustees of the village of Addison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Germain asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages of Joel W. White," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Leigh asked and obtained leave to introduce a bill entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to confirm the election or designation of David Babcock, a justice of the sessions in and for the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

Mr. McGraw called up for the consideration of the House a resolution heretofore offered by him, in relation to the appointment of a suitable person to carry the mails to and from the post office of this House, and moved that it be now considered.

Mr. Peters moved as an amendment, that the duty be done by the deputy postmaster, of the Assembly.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. McGraw,

Resolved, That when this House adjourns to-day, it will adjourn to meet to-morrow morning at 10 o'clock, and at the same hour thereafter until otherwise ordered, and adjourn at half-past one o'clock p. m., each day.

On motion of Mr. Richards,

Resolved, That the petitions, &c. on the files of the House relative to the county clerk of New-York, be taken therefrom and referred to the judiciary committee.

Mr. Leigh offered, for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the select committee appointed Feb. 9th, by this House, to whom was referred the bill entitled "An act for the suppression of intemperance," with instructions to report complete, be directed to report the bill complete to this House, Wednesday morning the 7th inst., immediately after the reading of the journal.

Ordered, That said resolution be laid on the table.

On motion of Mr. Sterling,

Resolved, That the Assembly bill in relation to the Fishkill and Beekman plank road, be referred to the Dutchess county delegation, with power to report complete.

On motion of Mr. Sterling,

Resolved, That Assembly bill for the relief of the Poughkeepsie and Stormville plank road company, be referred to the Dutchess county delegation, with power to report complete.

Mr. Legg called up his resolution in relation to presenting the war sword which Gen. Jackson bequeathed to Gen. Armstrong to Capt. Ingraham.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. Benedict,

Resolved, That the bill in relation to the draining of the Rome swamp, be recommitted to the committee on the internal affairs of towns and counties.

On motion of Mr. R. J. Baldwin,

Resolved, That Assembly bill No. 259, entitled "An act to incorporate the Oxford academy boarding association," be referred to a select committee, with power to report complete.

Mr. Speaker appointed as such committee, Mr. R. J. Baldwin, and the standing committee on colleges, academies and common schools.

The hour of one quarter to 2 o'clock having arrived, Mr. Speaker declared this House adjourned until 10 o'clock to-morrow morning.

TUESDAY, MARCH 7, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Parks.

The minutes of yesterday were read and approved.

On motion of Mr. Benedict,

Resolved, That the committee on banks have leave to employ such counsel and aid as they may deem proper in the revision of the Banking laws, at an expense of not exceeding \$100.

By unanimous consent,

Mr. Peters called up for the consideration of the House, a resolution heretofore offered by him, in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for improving the old State Hall, for the better arranging of the cabinet of Natural History, and for the accommodation of the New-York State Agricultural society, and its Agricultural museum," and that said bill be ordered to be engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Angle, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the election or designation of David Babcock as justice of the sessions, in and for the county of Oneida," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the several petitions of inhabitants of Poughkeepsie for an act to incorporate the city of Poughkeepsie, reported, and asked and obtained leave to bring in a bill entitled "An act to incorporate the city of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Peters, and by unanimous consent,

The business prescribed by the rules for to-day, being general orders, was laid upon the table for one hour.

Mr. Sterling presented the petition of sundry citizens of Poughkeepsie, for an act to incorporate the city of Poughkeepsie, which was read and committed to the committee of the whole.

Mr. Littlejohn presented the remonstrance of sundry citizens of Oswego, against the passage of a law increasing the salary of the recorder of said city, which was read and committed to the committee of the whole.

Mr. Littlejohn presented the remonstrance of 162 citizens of the town of Scriba, Oswego county, against the passage of a law

taxing said town for the construction of a bridge over the Oswego river at Minetto, which was read and referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of the town of Wheeler, for a new county from parts of Steuben county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Moseley Hutchinson presented the petition of inhabitants of Cayuga county, praying a delay of the passage of a law authorising the sale of the poor fund property of said county, and abolition of the office of superintendent of the poor thereof, which was read and committed to the committee of the whole.

Mr. Thompson, presented the remonstrance of the citizens of Orange county, against any change in the Newburgh poor laws, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. D. Willis presented the petition for the election of the chief of police by the city of New-York, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Speaker presented the petition of a mother in Western New-York, for the speedy passage of the Maine law, which was read and referred to the select committee on that subject.

Mr. Leigh moved that 3,000 copies of said petition be printed.

On motion of Mr. Sessions,

Said motion was laid on the table.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to regulate the fees of commissioners in streets, estimate and assessment, in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act enlarging and more strictly defining the powers of the trustees of the village of Addison, reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Searing from the committee on railroads, to which was referred the Senate bill entitled "An act to authorise the Watertown and Rome railroad company to endorse and guarantee the bonds of the Potsdam and Watertown railroad company, reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Angel, from the committee on the judiciary, to which was referred the bill entitled "An act to reduce the criminal expenses of the town of Watervleit, in the county of Albany," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the common council of the city of Rochester, praying for a law requiring the supervisors of the county of Monroe to reconstruct the Main street bridge, in said city, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for the reconstruction of the Main street bridge in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Angle, from the select committee, consisting of the Dutchess delegation and Mr. Cushman, to which was referred the bill entitled "An act for the relief of the Poughkeepsie and Stormville plank road company," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorise the city of Troy to raise money by tax and to borrow money," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Peters, from the committee on railroads, to which was referred the petition of sundry inhabitants of various counties, praying for an amendment to the general railroad law, as regards fencing and other amendments, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to render more perfect and equitable the laws concerning escheats now in force in this State, and to derive revenue therefrom," reported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 4, chapter 6, part 2d of the Revised Statutes," reported, that the committee had

had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for a settlement with persons for monies paid to the mariners fund," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relating to the sheriff of the city and county of New-York, on summoning jurors," reported, that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of citizens of Orange county, praying for the passage of a law providing for depositing a copy of the Session Laws in the library of each school district of this State, reported, adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Seneca county, praying for a more stringent law to prevent gaming on the Sabbath, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Ordered, That said resolution be laid on the table.

By unanimous consent,

The Senate bill entitled "An act to amend and correct an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 4, 1853," coming up for its third reading.

On motion of Mr. Joy, and by unanimous consent,

Said bill was amended as follows: By striking out in the fifth section after the word order in the ninth line, all in said section down to the word in the fourteenth line."

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 60 }

Those who voted in the affirmative are,

Angle	Collins	Hull	Munroe	Stephens
Atkin	Crocheron	Mat. Hutchinson	Palmer	Sterling
Bailey	Cummings	Mos. Hutchinson	Peters	Suffern
Baker	Cushman	Jenkins	Richards	Thompson
Backus	Dawson	Joy	Richardson	Underwood
E. J. Baldwin	A. A. Danlop	Kinney	Robertson	Ward
S. Baldwin	R. Dunlap	Kirkland	Rose	Ware
Barrow	Ferguson	Legg	Rowland	Weed
Beers	Germain	Littlejohn	Savage	Whipple
Benedict	Gibbs	Leslie	Scott	Wilder
Bestwick	Gott	Maguire	Sessions	D. Willis
Boyd	Harpur	Mallory	Seeley	J. E. Willis
Brust	Harris	Mather	Sharp	Williams
Chessbro	Hinkley	May	Sheeley	Winne
Clinton	Hollenbeck	L. Miller	Speaker	J. S. Wood
Cook	Howell	S. F. Miller		

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For the negative,

Lee

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had passed the same with amendments.

By unanimous consent,

Mr. Burnett asked and obtained leave to introduce a bill, entitled "An act in relation to special proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Savage, and by unanimous consent,

Resolved, That the city inspector of the city and county of New-York, be required to report forthwith to this House, if any, and what clergyman, magistrate or other person authorised to perform marriage ceremonies, have neglected or refused to comply with the provisions of the act entitled "An act providing for the registry of births, marriages and deaths," passed April 2, 1853.

Mr. Aitken, from the committee on banks, to which was referred the Senate bill entitled "An act providing for the appointment of an additional number of notaries public and commissioners of deeds in the city of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Clinton,

Said bill was referred to a select committee on banks to report complete.

Mr. Thorn, from the select committee to which was referred the bill, entitled "An act to incorporate the Oxford academy boarding association," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Aitken, from the select committee, to which was referred the bill entitled "An act providing for the appointment of an additional number of notaries public and commissioners of deeds of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The Senate bill entitled "An act providing for the appointment of an additional number of notaries public and commissioners of deeds in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 55 {
{ NOES 29 {

Those who voted in the affirmative are,

Angle	Brust	Graham	Littlejohn	Searing
Aitken	Burnett	Harpur	Maguire	Sessions
Bailey	Cook	Harris	Mather	Seeley
Backus	Cushman	Hinkley	May	Sharp
R. J. Baldwin	Dawson	Hollenbeck	S. F. Miller	Sterling
Barrow	Dewey	Hull	Odell	Thompson
Beers	Ferguson	Kinney	Palmer	Thorn
Bennett	Germain	Kirkland	Richards	Ward
Bergen	Gibbs	Lee	Robertson	Ware
Bostwick	Gorham	Leigh	Rowland	Wilson
Boyd	Gott	Littlefield	Scott	Winne

55

Those who voted in the negative are,

S. Baldwin	A. A. Dunlop	Legg	Savage	Whipple
Benedict	R. Dunlap	Lozier	Speaker	Wilder
Ghesbro	Howell	Mallory	Stephens	D. Willis
Clinton	Mat. Hutchinson	Manroe	Suffern	J. E. Willis
Collins	Mos. Hutchinson	Peters	Underwood	W. H. Wood
Cumming	Joy	Richardson	Weed	

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Mr. Clinton moved to reconsider the vote just taken.

On motion of Mr. Savage,

Said motion was laid on the table.

The bill entitled "An act to authorise the Commissioners of the Land Office to sell certain lands, and to convey certain lands under water," coming up for its third reading,

On motion of Mr. Peters, and by unanimous consent,

Said bill was amended by striking out of the third line of section one, "and required," and inserting the following: "provided it shall not be inconsistent with the interests of the State;" and by inserting the same words in the 6th line of said 1st section after the word "convey;" also, in the 11th line of said section, after said word "convey;" also, by striking out the word "five" in the 16th line, and inserting "ten;" and by striking out the words "residents of Oswego county," out of the second line in section two.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

} AYES 86 {
} NOES 00 {

Those who voted in the affirmative are,

Angle	Cunningham	Mos. Hutchinson	Manroe	Speaker
Alkin	Cushman	Jenkins	Hoble	Stephens
Bailey	Dewey	Kinney	Odell	Sterling
R. J. Baldwin	A. A. Dunlop	Kirkland	Palmer	Suffern
S. Baldwin	E. Dunlap	Leo	Peters	Thompson
Barrow	Edwards	Legg	Randall	Thorne
Beers	Ferguson	Leigh	Richardson	Underwood
Benedict	Germain	Littlefield	Robertson	Ward
Bennett	Gibbs	Littlejohn	Roge	Ware
Bergen	Gett	Lozier	Rowland	Weed
Boyd	Harpur	Maguire	Savage	Whipple
Brust	Harris	Mallory	Scott	Wilson
Burnett	Hinkley	Mather	Searing	Wilder
Chambers'	Hollenbeck	May	Sessions	D. Willis
Clinton	Hewell	McGraw	Seeley	J. E. Willis
Cook	Hull	Mills	Sharp	Winne
Collins	Mat. Hutchinson	S. F. Miller	Shepley	W. H. Wood
Crocheron				86

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to enable the mayor, aldermen and commonalty of the city of Albany, to aid the Northern railroad company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. A. A. Dunlop, and by unanimous consent, Said bill was referred to the committee on railroads, to report complete.

"An act to amend an act entitled 'An act to alter the Commissioner's map of the city of Brooklyn,' passed April 6, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Speaker announced the business in order, the business prescribed by the rules for the day, it being general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act appropriating money for the Clinton State prison."

"An act to promote medical science."

"An act to provide for inquiring into the causes of fires, and to prevent incendiarism."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bailey, from said committee, reported progress on said second and third mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Cumming, and by unanimous consent,

Resolved, That the Assembly chamber be granted to the Superintendent of the State Idiot asylum, for an exhibition of the pupils on Thursday evening, March 9, 1854, and that the seats on the floor be reserved for the members at the exhibition.

At half-past one o'clock, p. m., Mr. Speaker announced the House adjourned.

WEDNESDAY, MARCH 8, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of yesterday were read and approved.

Mr. Randall presented the petition of citizens of Chemung, against the circulation of safety fund bank bills without security, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Germain presented the petition of the officers and shareholders of the several associations in the city of Buffalo, formed under the act for the incorporation of building, mutual loan and accumulating fund association, praying the amendment of said act, which was read and referred to the committee on trade and manufactures.

Mr. Barrow presented the petition of citizens of New-York, to make the chief of police elective, which was read and committed to the committee of the whole.

Mr. Brust presented the petition of Leonard H. Wager and Francis Smith, of Rensselaer, praying for relief for injuries received in the service of the militia of this State, which was read and referred to the committee on the militia and public defence.

Mr. Conkling presented the petition of Charles H. Marshall and others, trustees of the Seamen's Fund and Retreat, of the city of New-York, for an act to define the duties of the trustees of the Seamen's Fund and Retreat, and the Mariners' Family Asylum, which was read and referred to the committee on charitable and religious societies.

Mr. Hull presented the petition of 43 citizens of St. Lawrence county, for the alteration of the statutes in relation to the com-

petition of certain town officers, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Willis presented the petition of the citizens of New-York, to elect the chief of police by the people, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Ware presented the petition of the citizens of New-York, for the chief of police to be elected by the people, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Cunningham presented the resolution of the common council of the city of New-York, requesting the Legislature to repeal the law establishing a park at Jones' wood, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Littlejohn presented the remonstrance of sundry citizens of Oswego, against the passage of a law increasing the salary of recorder of said city, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Case presented the petition of the citizens of Oneida co., for regulating tax on cotton, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Edwards presented the petition of J. W. Freeman and other inhabitants of Rensselaer county, for the construction of the Genesee Valley canal feeder, which was read and referred to the committee on canals.

Mr. Conkling presented the memorial of the American Geographical and Statistical Society, which was read and referred to the committee on colleges, academies and common schools.

Mr. Jance presented a petition in relation to the Merchants and Mechanics' bank of Oswego, New-York, which was read and referred to the committee on banks.

Mr. Burgess presented the petition of William Dygat and David Dygat, executors of Wm. W. Dygat, in relation to a claim for canal damages, which was read and referred to the committee on claims.

Mr. Willis presented the petition of 56 persons of the town of Champion, Jefferson county, praying for the early passage of a law allowing the Sacketts Harbor and Saratoga railroad to locate their road through Warren and Essex counties, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Backus presented the petition of 380 voters of Brooklyn, for the repeal of certain laws relative to orphan asylums, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Searing presented a remonstrance against bridging Newton creek for railroad purposes, which was read and referred to the committee on railroads.

Mr. Freeman presented the petition of 418 inhabitants of Orleans county, for the repeal of an act passed April 15, 1853, in relation to the toll gate of the Albion plank road company, which was read and referred to the committee on roads and bridges.

Mr. Freeman presented the remonstrance of 135 inhabitants of Orleans county, against the passage of a law incorporating companies to navigate the canals of this State, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Freeman presented the petition of the supervisors and other inhabitants, for a loan from the common school fund to the county of Orleans, to build a bridge across Oak Orchard creek in said county, which was read and referred to the committee on ways and means.

Mr. Burgess presented the petition of sundry inhabitants of Herkimer county, to prevent illegal currency, five shillings expense safety from banks, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of S. Newton Dexter, praying for the payment of a draft of the Canal Board, reported, and asked and obtained leave to bring in a bill entitled "An act authorising the payment of \$2,500 for a draft dated October 21, 1853, for \$3,719.43, drawn by John C. Mather, late Canal Commissioner," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Richardson, from the committee on trade and manufactures, to which was referred the bill entitled "An act to incorporate the New-York pure milk company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Richardson, from the committee on trade and manufactures, to which was referred the bill entitled "An act to amend the act entitled 'An act for the better security of mechanics, and others, erecting buildings and furnishing materials therefor, in the city of New-York;'" reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Richardson, from the committee on trade and manufactures, to which was referred the bill entitled "An act to extend the operations of the act passed February 17, 1848, to authorise the formation of corporations for manufacturing and mining purposes," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to..

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the stockholders of the Scio and Boliver plank road company, praying for a bill for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the Scio and Boliver plank road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Great Neck Commercial Dock company, in the county of Queens," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the petition of the New-York Turnverein Society, praying for an act of incorporation, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

On motion of Mr. Angle,
Said bill was laid on the table.

On motion of Mr. Littlejohn,

The petition and papers in the matter of Charles Cook, and of Talcott and Hale, were taken from the committee on canals and referred to the committee on claims.

Mr. Germain, from the committee on commerce and navigation, to which was referred the petition of the president and trustees of the Seamen's Fund and Retreat, praying for the passage of an act defining their powers and responsibilities, reported, and asked and obtained leave to bring in a bill entitled "An act in relation to the monies levied by law on the masters, mariners and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's Fund and Retreat, and by trustees of the Mariners' Family Association," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Searing, from the select committee to which was referred the bill entitled "An act to enable the mayor and commonalty of the city of Albany to aid the Albany Northern railroad company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows:

"An act to change the name of Emeline Kemp," to Messrs. Savage, D. Willis and Leigh.

"An Act for the protection of gas light companies," to Messrs. Cumming, A. A. Dunlop and Odell.

"An act to authorise the surrogate of the county of Genesee to issue letters of administration upon the estate of John Blacksmith, deceased," to Messrs. Burnett, Peters and Cook.

"An act to amend section 62 of the act entitled 'An act relative to town superintendents of common schools,' to Messrs. Mosceley Hutchinson, Joy and Cushman.

"An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans, to resurvey part of a cart-tail State road in said town," to Messrs. Freeman, Cook and Legg.

"An act for the relief of the Williamsburgh dispensary," to Messrs. Bergen, Morris and Backus.

"An act to regulate the taking recognizances in city of New-York, upon charges of felony, and to extend the provisions of the Code of Procedure in forfeiture of the same," to Messrs. Mallory, Angle and Leigh.

"An act to confirm certain acts of the common council of the city of Oswego, in relation to the building of a pier in the west harbor of said city," to Messrs. Littlejohn, Dewey and S. F. Miller.

"An act for the better organization of the uniformed militia in the county of Richmond," to Messrs. Crocheron, Joy and Seeley.

"An act to repeal an act entitled 'An act in relation to highways and bridges in the county of Montgomery,' passed July 21, 1853," Messrs. Hull, Baker and Hinkley.

"An act to enable John O'Brien to take, hold and convey real estate," to Messrs. Boyd, Sessions and Richards.

"An act for the relief of the Medina and Alabama plank road company," to Messrs. Freeman, Martin and McGraw.

"An act to authorise the Saratoga and Hadley plank road company to increase their number of toll gates," to Messrs. Nelson, Ravens and Thorne.

"An act for the relief of the Albany, Schoharie and Rensselaerville plank road company," to Messrs. Chacebro, A. A. Dunlop and Hollenback.

Senate bill entitled "An act in relation to the Williamsburgh and Cyprus Hills plank road company," to Messrs. Searing Backus and Bergen.

"An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," to Messrs. R. J. Baldwin, Benedict and Sterling.

"An act to amend an act entitled 'An act amend an act in relation to plank roads,' passed June 20, 1853," to Messrs. Weed, D. Willis and Wilder.

"An act to amend an act entitled 'An act for the benefit of Indians,' passed April 11, 1849," to Messrs. Joy, Munroe and Edwards.

"An act to confirm the assessment of fifty per cent on the amount subscribed to the capital stock of the Genesee river plank road company, &c.," to Messrs. Peters, Cook and Randall.

Senate bill entitled "An act allowing the inhabitants occupying lands on the line of the Colicoon and Cohecton turnpike company, to be assessed for highway labor upon said turnpike," to Messrs. S. F. Miller, Sheeley and Harpur.

Senate bill entitled "An act to regulate the salary of the district attorney, in the county of Putnam," to Messrs. Smalley, Angle and Mallory.

Senate bill entitled "An act authorising the election of a local officer to discharge the duties of county judge and surrogate in the county of Sullivan," to Messrs. Sheeley, W. H. Wood and Bennett.

"An act to authorise the clerk of Cayuga county to record certain filed deeds in his office," to Messrs. Moseley Hutchinson, Matthias Hutchinson and Townsend.

"An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847," so far as relates to the village of Mount Vernon, Westchester county, and to make said village a separate road district, to Messrs. Odell, Lee and Jenkins.

"An act declaring the village of Antwerp a valid corporation, to enlarge its powers, and to make said village a separate road district," to the Jefferson county delegation.

Mr. Searing, from the select committee, consisting of the Kings and Queens county delegations, to which was referred the bill entitled "An act in relation to the Brooklyn city railroad," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to alter the commissioner's map of the city of Brooklyn,' passed April 6, 1850," reported, that the committee had examined said bill, made an amendment thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill do have its third reading.

Mr. J. E. Willis, from the select committee, consisting of the Jefferson county delegation, to which was referred the bill entitled "An act declaring the village of Antwerp a valid corporation, to enlarge its powers and to make said village a separate road district," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a communication from the comptroller, in relation to the condition of the fire insurance companies in this State.

Mr. Conkling offered for the consideration of the House a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That 10,000 extra copies of the annual report of the Comptroller on the condition of the fire insurance companies in this State, be printed for the use of the Legislature, and 500 copies for the use of the comptroller.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the receiver of taxes in the city of New-York in answer to a resolution from this House, passed Feb. 17, 1854, calling upon him for information connected with his office.

Mr. Barrow moved to refer said communication to a select committee, consisting of the New-York delegation.

Mr. Conkling moved that the same be printed.

Mr. Clinton moved to lay the motion for reference on the table.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend an act in relation to free schools in the city of Troy, and school district No. 2, in the town of Lansingburgh, passed July 1, 1851; also to amend the act providing for the establishment of free schools in the city of Troy, passed April 4, 1849."

Mr. Edwards moved that the House concur in the amendments of the Senate.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	May	Seeley
Bailey	Conkling	Hollenbeck	McGraw	Sheeley
Baker	Cost	Howell	L. Miller	Sill
Backus	Orocheron	Hull	S. F. Miller	Smalley
S. Baldwin	Cumming	Mat. Hutchinson	Morris	Speaker
Barrow	Cushman	Mos. Hutchinson	Nelson	Stephens
Barton	Dewey	Jenkins	Noble	Sufern

Beers	A. A. Dunlop	Joy	Palmer	Thompson
Benedict	R. Dunlap	Kinney	Payne	Ward
Bennett	Edwards	Kirkland	Peters	Ware
Bergen	Ferguson	Lee	Randall	Weed
Boardman	Fiero	Leigh	Richardson	Whipple
Bostwick	Freeman	Littlefield	Robertson	Whitman
Boyd	Germain	Littlejohn	Rowland	Wilson
Brust	Gibbs	Maguire	Savage	Wilder
Burgess	Gleason	Mallory	Scott	Williams
Caso	Gott	Martin	Searing	Winne
Clinton	Hall	Mather	Sessions	D. P. Wood
Cook	Harpur			

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' so far as relates to the village of Middletown, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a concurrent resolution, proposing amendments to the constitution, relative to bribery at elections.

Ordered, That said resolution be laid on the table.

The Senate bill entitled "An act to authorise the Watertown and Rome railroad company to endorse and guarantee the bonds of the Pottsdam and Watertown railroad company," coming up for its third reading.

On motion of Mr. Burnett,

Said bill was recommitted to the committee on railroads.

The Senate bill entitled "An act to enable the mayor, aldermen and commonalty of the city of Albany to aid the Albany Northern railroad company," by unanimous consent, coming up for its third reading.

Mr. Hollenbeck moved to recommit it to the committee on railroads.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hollenbeck, and it was determined in the negative.

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 10 }

Those who voted in the affirmative are,

Bailey	Conkling	Hull	McGraw	Stephens
Baker	Crocheron	Mat. Hutchinson	McMurray	Sterling
Backus	Cumming	Mos. Hutchinson	L. Miller	Suffern
R. J. Baldwin	Cushman	Jenkins	Morris	Thompson
Barrow	Dawson	Joy	Nelson	Thorn
Barton	Dewey	Kinney	Odell	Ward
Beers	A. A. Dunlop	Kirkland	Palmer	Ware
Benedict	Edwards	Legg	Peters	Weed
Bennett	Ferguson	Littlefield	Richards	Whipple
Bergen	Fiero	Littlejohn	Richardson	Whitman
Boardman	Freeman	Lozier	Robertson	Wilson
Boatwick	Germain	Maguire	Savage	Wilder
Boyd	Gibbs	Mallory	Searing	D. Willis
Burgess	Hall	Martin	Sessions	Winne
Burnett	Harpur	Mather	Sill	D. P. Wood
Case	Hinkley	May	Smalley	W. H. Wood 80

Those who voted in the negative are,

Angle	Collins	Gott	Howell	S. F. Miller
Clinton	Cost	Hollenbeck	Mills	Seeley 10

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act in relation to the Brooklyn city rail road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 02. }

Those who voted in the affirmative are,

Angle	Cost	Mos. Hutchinson	Mills	Speaker
Bailey	Crocheron	Jenkins	L. Miller	Stephens
Baker	Cushman	Joy	S. F. Miller	Sterling
S. Baldwin	Dawson	Kinney	Nelson	Suffern
Barrow	Dewey	Kirkland	Odell	Townsend
Beers	A. A. Dunlop	Lee	Palmer	Thorn
Benedict	R. Dunlap	Legg	Peters	Ware
Bennett	Edwards	Leigh	Randall	Weed
Bergen	Ferguson	Littlejohn	Richards	Whipple
Boardman	Fiero	Lozier	Richardson	Wilson
Brust	Freeman	Maguire	Rowland	Wilder
Burgess	Germain	Mallory	Savage	D. Willis
Burnett	Gibbs	Mather	Scott	Williams
Case	Gott	May	Searing	Winne
Cook	Hall	McGraw	Sessions	D. P. Wood
Collins	Harpur	McMurray	Seeley	W. H. Wood
Conkling	Mat. Hutchinson			82

Those who voted in the negative are,

Backus	Ward	2
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend article fifth, title third, chapter seven, of the Revised Statutes, entitled, of proceedings to per-
suade testimony," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Gorham	McGraw	Still
Bailey	Chesebro	Gott	McMurray	Smalley
Baker	Cook	Harpur	Mills	Speaker
Backus	Collins	Howell	L. Miller	Stephens
R. J. Baldwin	Conkling	Hull	S. F. Miller	Sterling
S. Baldwin	Cost	Mat. Hutchinson	Nelson	Suffern
Barrow	Crocheron	Mos. Hutchinson	Odell	Thompson
Barton	Cumming	Jenkins	Palmer	Thorn
Beers	Cushman	Kinney	Peters	Ward
Benedict	Dawson	Kirkland	Randall	Ware
Bennett	A. A. Dunlop	Lee	Robertson	Weed
Bergen	R. Dunlap	Leigh	Rowland	Whipple
Boardman	Edwards	Littlefield	Savage	Whitman
Bostwick	Ferguson	Littlejohn	Searing	Wilson
Boyd	Fiero	Maguire	Sessions	Wilder
Brust	Freeman	Mallory	Seeley	Williams
Burgess	Germain	Mather	Sharp	Winne
Burnett	Gibbs	May	Sheeley	D. P. Wood 90

For the negative,

D. Willis

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Albany, made by loan commissioners therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	L. Miller	Stephens
Bailey	Cost	Howell	Morris	Sterling
Baker	Crocheron	Mat. Hutchinson	Noble	Suffern
Backus	Cumming	Mos. Hutchinson	Odell	Thompson
R. J. Baldwin	Cushman	Jenkins	Palmer	Thorne
Barrow	Dawson	Kinney	Peters	Underwood
Barton	Dewey	Kirkland	Robertson	Ward
Baucus	A. A. Dunlop	Legg	Rowland	Weed
Benedict	R. Dunlap	Leigh	Savage	Whipple
Bennett	Edwards	Littlejohn	Scott	Whitman

Bergen	Ferguson	Lozier	Searing	Wilson
Boardman	Fiero	Maguire	Sessions	Wilder
Boyd	Freeman	Mallory	Seeley	D. Willis
Brust	Germain	Mather	Sharp	J. E. Willis
Burgess	Gorham	May	Sheeley	Williams
Burnett	Gott	McGraw	Sill	Winne
Case	Hall	McMurray	Smalley	D. P. Wood
Chesebro'	Harpur	Mills	Speaker	W. H. Wood
Cook				

91

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act appropriating money for Clinton State prison," coming up for its third reading.

On motion of Mr. Mallory,

Said bill was recommitted to the committee of the whole.

The bill entitled "An act to authorise the towns of Sodus, Arcadia and Phelps, to subscribe for stock of the Sodus Point and Southern railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 07 }

Those who voted in the affirmative are,

Bailey	Cook	Harpur	L. Miller	Smalley
Baker	Cost	Hinckley	Morris	Speaker
Backus	Crocheron	Hollenbeck	Nelson	Stephens
E. J. Baldwin	Cumming	Howell	Noble	Sterling
Barrow	Cushman	Mos. Hutchinson	Odell	Suffern
Barton	Dawson	Kinney	Palmer	Thorn
Baucus	Dewey	Kirkland	Payne	Ward
Benedict	A. A. Dunlop	Legg	Peters	Whipple
Bennett	R. Dunlap	Littlefield	Robertson	Whitman
Bergen	Ferguson	Littlejohn	Rowland	Wilson
Boardman	Fiero	Maguire	Savage	Wilder
Bostwick	Freeman	Mallory	Scott	J. E. Willis
Boyd	Germain	Martin	Searing	Williams
Brust	Gibbs	May	Seeley	Winne
Burgess	Graham	Mills	Sheeley	D. P. Wood
Burnett	Gott	G. Miller	Sill	W. H. Wood
Case	Hall			

82

Those who voted in the negative are,

S. Baldwin	Mat. Hutchinson	Lozier	McGraw	Richardson
Collins	Joy	Mather		

8

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the appointment of a commission to revise and amend the charter of the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

tive, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Crocheron	Howell	Mills	Smalley
Backus	Cumming	Mat. Hutchinson	L. Miller	Speaker
E. J. Baldwin	Cushman	Mos. Hutchinson	S. F. Miller	Stephens
S. Baldwin	Dawson	Jenkins	Morris	Sterling
Barrow	Dewey	Joy	Nelson	Suffern
Baucus	A. A. Dunlop	Kinney	Noble	Thompson
Beers	R. Dunlap	Kirkland	Odell	Thorn
Benedict	Edwards	Lee	Palmer	Ward
Bergen	Ferguson	Legg	Payne	Weed
Boardman	Fiero	Leigh	Peters	Whipple
Boyd	Freeman	Littlefield	Richardson	Whitman
Brust	Germain	Littlejohn	Robertson	Wilson
Burgess	Gibbs	Lozier	Savage	Wilder
Burnett	Gorham	Maguire	Scott	D. Willis
Chesebro	Gott	Mallory	Searing	J. E. Willis
Clinton	Hall	Martin	Sessions	Winne
Cook	Harpur	Mather	Seeley	D. P. Wood
Collins	Hinkley	May	Sheeley	W. H. Wood
Conkling	Hollenbeck	McGraw	Sill	94.

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to amend an act entitled 'An act to provide for the extension of the draining of the Black creek or Crozier swamp, in the county of Ulster,' passed June 4, 1853."

Mr. Morris moved that the amendments of the Senate be concurred in.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Morris, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Cumming	Mos Hutchinson	Morris	Speaker
Baker	Cushman	Jenkins	Nelson	Stephens
Backus	Dawson	Joy	Noble	Sterling
S. Baldwin	Dewey	Kinney	Odell	Suffern
Barrow	A. A. Dunlop	Kirkland	Palmer	Thorn
Beers	R. Dunlap	Lee	Payne	Ward
Bennett	Edwards	Legg	Randall	Weed
Bergen	Fiero	Leigh	Richardson	Whipple
Boardman	Freeman	Littlefield	Robertson	Whitman
Brust	Germain	Littlejohn	Rowland	Wilson
Burgess	Gibbs	Maguire	Savage	Wilder
Burnett	Gorham	Mallory	Scott	

Chesebro	Hall	Martin	Searing	D. Willis
Clinton	Harpur	May	Sessions	J. E. Willis
Cook	Hinkley	McGraw	Sheeley	Winne
Conkling	Hollenbeck	Mills	Sill	D. P. Wood
Crocheron	Mat. Hutchinson	L. Miller	Smalley	W. H. Wood 85

Those who voted in the negative are,

Benedict	Gott	Seeley	3
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendment, and amended the same accordingly.

A message from the Senate was received and read, informing that that they had non-concurred in the bill entitled as follows :

"An act for the relief of Joseph Willis, Lemuel French, John Shirley, Lyman Mills and William Pillmore."

Mr. Angle, at his request, was excused from serving on the select committee to which was referred the matter of Jacob Grover, &c.

Mr. Speaker announced the appointment of Mr. Munroe in his stead on said committee.

The bill entitled "An act for the relief of the Poughkeepsie and Stormville plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Howell	McGraw	Sill
Bailey	Cost	Hull	L. Miller	Smalley
Baker	Crocheron	Mat. Hutchinson	S. F. Miller	Speaker
Backus	Cumming	Mos. Hutchinson	Morris	Stephens
R. J. Baldwin	Cushman	Jenkins	Nelson	Sterling
S. Baldwin	Dawson	Joy	Odell	Suffern
Barrow	Dewey	Kinney	Palmer	Thompson
Baucus	A. A. Dunlop	Kirkland	Peters	Thorn
Beers	R. Dunlap	Lee	Richardson	Ward
Benedict	Edwards	Legg	Robertson	Weed
Bergen	Fiero	Leigh	Rowland	Whipple
Boardman	Freeman	Littlefield	Savage	Whitman
Boyd	Germain	Littlejohn	Scott	Wilson
Brust	Gibbs	Lozier	Searing	D. Willis
Burgess	Gorham	Maguire	Sessions	Winne
Burnett	Gott	Mallory	Seeley	D. P. Wood
Clinton	Harpur	Martin	Sheeley	W. H. Wood
Cook	Hollenbeck			87

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At half-past one o'clock, p. m., Mr. Speaker announced the House adjourned.

THURSDAY, MARCH 9, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Parks.

The minutes of yesterday, were read and approved.

On motion of Mr. Peters, and by unanimous consent,

The business prescribed for to-day, it being general orders, was laid upon the table until half-past eleven o'clock a. m.

Mr. Speaker announced the business in order to be presentation of petitions.

Mr. R. Dunlap presented the petition of citizens of Lockport, to amend the charter of their village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Savage presented 50 several remonstrances of citizens of New-York, against the bill entitled "An act to regulate the delivery of merchandise, &c., upon the wharves of the city and counties of New-York and Kings," which were read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Boyd presented 41 several remonstrances of citizens of the city of New York, upon the same subject, which were read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Ward presented the petition of 1100 citizens of New-York, in relation to ununiformed militia in the city of New-York, which was read and referred to the committee on militia and public defence.

Mr. Mallory presented the memorial of the board of trustees of Hobart Free College, praying for an amendment of their charter, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bergen presented the petition of Richard Brogan, to have released the interest of the State in certain land in Williamsburgh, which was read and referred to the committee on the judiciary.

Mr. Case, from the committee on insurance companies, to which was referred the bill entitled "An act to authorise the formation of town mutual insurance companies," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed Dec. 7, 1847,' so far as relates to the vil-

lage of Middletown, in the county of Orange," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of Ira Bellows and others, that the Rochester and Pittsford plank road company have leave to erect an additional gate, reported, and asked and obtained leave to bring in a bill entitled "An act in relation to the Rochester and Pittsford plank road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which referred the bill entitled "An act to provide for the election of overseers of highways in the several road districts in this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act to authorise the formation of corporations for ferry purposes, passed April 9, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Jenkins, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the village of Horseheads, in the county of Chemung," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the poor laws of this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Rose, from the committee on Indian affairs, to which was referred the bill entitled "An act to settle the boundary line between the lands of Niram Sackett and the lands of the Seneca nation of Indians," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of inhabitants of the county of Cayuga, praying for a law requiring an assessment of a tax upon dogs, reported adversely to the prayer of the petitioners, the law of 1849 vesting the authority in the boards of supervisors to enact laws regulating taxes on dogs, making it unnecessary for the Legislature to take action upon the subject, which report was agreed to.

Mr. Williams, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the superintendent of the poor of the county of Schenectady," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Thorn, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to incorporate the Merchants' and Clerks' Library Association of the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sessions, from the committee on ways and means, to which was referred the bill entitled "An act to enable the Comptroller to admit the taxing of certain of the nonresident lands in the county of Green," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wopd, from the committee on colleges, academies and common schools, to which was referred the petition of the Brooklyn Female Academy, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the Brooklyn Female Academy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the inhabitants of the towns of Moria and Dickinson, praying for a law for the laying out and construction of a road, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for the laying out and construction of a road from Dickenson Center south through townships Nos. 10, 13, 16, 19, 22 and 25, in the county of Franklin," which was read the first time, and by unanimous consent

was also read the second time, and committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the citizens of the village of Prattsburgh, in Steuben county, to raise money for highway purposes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, asked and obtained leave to introduce a bill entitled "An act concerning the appropriation and payment of school money," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sheeley, from the select committee to which was referred the bill entitled "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate, in the county of Sullivan," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to close a part of the road of the Ravens Wood, Hallets Cove and Williamsburgh turnpike and bridge company, at Green Point, in the county of Kings," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Sill, from the committee on trade and manufactures, to which was referred the bill entitled "An act to incorporate companies for improvements of real estate," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mallory, from the majority of the select committee to which was referred the bill entitled "An act to regulate the taking of recognizances in the city and county of New-York, upon charges of felony, and to extend the provisions of the Code of Procedure in forfeiture of the same," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An Act for the protection of gas light companies," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of the officers of the Jefferson County Agricultural Society, for the right to hold real estate, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Savage, from the select committee to which was referred the bill entitled "An act to change the name of Emeline Kemp," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hull, from the select committee to which was referred the bill entitled "An act to repeal an act entitled 'An act in relation to highways and bridges in the county of Montgomery,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Crocheron, from the select committee to which was referred the bill entitled "An act relating to the uniformed militia of the county of Richmond," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Chesebro, from the select committee to which was referred the bill entitled "An act to prevent the dissolution of the corporation of the Albany, Schoharie and Rensselaerville plank road company, and to authorise said company to sell or abandon portions of their route, and to make a turnpike of parts of their road," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the select committee to which was referred the Senate bill entitled "An act in relation to the Williamsburgh and Cyprus Hills plank road company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Cornelius Van Alstine and Albert Mabie, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act authorising the appraisal and payment of canal damages to Cornelius Van Alstine and Albert Mabie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. S. Baldwin, and by unanimous consent,

Resolved, That the claim papers of Joel White be referred to the Canal Appraisers, asking them to report to this House what action, if any, has been had by the Board in the case.

On motion of Mr. Sharp, and by unanimous consent,

Resolved, That the petition and bill for the incorporation of the Turnverein, in the city of New-York, and the report of the committee on charitable and religious societies thereon, be taken from the table and referred to the committee of the whole, and that the bill be printed.

Mr. Rose, from the committee on Indian affairs, to which was referred the petitions and papers relating to the claim of Indians of the Mohawk and Stockbridge tribes to lands in Rensselaer and Columbia counties, reported, in writing, adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

On motion of Mr. J. E. Willis,

Said report was ordered to be laid on the table and printed.

Mr. Leigh, from the minority of the select committee to which was referred the bill entitled "An act to regulate the taking of recognizances in the city and county of New-York, upon charges of felony, and to extend the provisions of the Code of Procedure, &c.," to report complete, reported the same with amendments, and moved that both reports be referred to a select committee consisting of other than legal gentlemen.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the negative.

Mr. Jay, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act for the benefit of Indians,' passed April 11, 1842," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bergen, from the select committee to which was referred the bill entitled "An act for the relief of the Williamsburgh dispensary," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Freeman, from the select committee to which was referred the bill entitled "An act for the relief of the Medina and Alabama plank road company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moseley Hutchinson, from the select committee to which was referred the bill entitled "An act to authorise the clerk of Cayuga county to record certain filed deeds in his office," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moseley Hutchinson, from the select committee to which was referred the bill entitled "An act to amend section 62 of the act entitled 'An act relative to town superintendents of common schools,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Freeman, from the select committee to which was referred the bill entitled "An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans, to resurvey part of a certain State road in said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Nelson, from the select committee to which was referred the bill entitled "An act to authorise the Saratoga and Hadley plank road company to increase their number of toll gates," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cook, from the select committee to which was referred the bill entitled "An act to confirm an assessment of fifty per centon the amount subscribed to the capital stock of the Genesee River plank road company, for the payments of the debts of said company, and for other purposes," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. F. Miller, from the select committee to which was referred the bill entitled "An act allowing the inhabitants occupying lands on the line of the Callicoon and Ococheeton turnpike company to be assessed for highway labor upon said turnpike," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a communication from the Comptroller, in relation to nonresident lands, which was read and referred to the committee on ways and means.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit :

"An act in relation to turnpike and plank roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the improvement of Rackett river and the tributaries thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Speaker announced the business in order, third reading of bills.

On motion of Mr. Peters,
That order of business was laid on the table.

Mr. Speaker announced the business in order, notices.

By unanimous consent,

Mr. Morris, from the select committee to which was referred the bill entitled "An act providing for the completion of the opening and grading of Division avenue, in the county of Kings, and for the paving and otherwise improving the same," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Clinton gave notice that he would at an early day ask leave to introduce a bill to prevent the abuse of horses.

Mr. Germain gave notice that he would at an early day ask leave to bring in a bill to amend an act entitled "An act for the incorporation of building, mutual loan and accumulating fund associations."

Mr. Winne gave notice that he would at an early day ask leave to introduce a bill for the relief of Aaron Carroll, John B. Kline, William Cramer and John Carroll.

Mr. J. E. Willis gave notice that he would at an early day ask leave to introduce a bill to authorize the town of Le Roy to raise two hundred and fifty dollars in addition to that now allowed by law.

Mr. Aitken gave notice that he would at an early day ask leave to introduce a bill relative to the marine court of the city of New-York.

Mr. Boardman gave notice that he would at an early day ask leave to introduce a bill to amend the act in relation to safety fund banks.

By unanimous consent,

Mr. Mallory asked and obtained leave to bring in a bill entitled "An act to amend the charter of Hobart Free College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. Searing asked and obtained leave to introduce a bill entitled "An act for the incorporation of associations for improving the breed of horses," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee.

Mr. Speaker announced as such committee Messrs. Searing, Stephens, Seeley, Gott and Morris.

By unanimous consent,

Mr. Benedict asked and obtained leave to bring in a bill entitled "An act to amend the several acts in relation to common schools in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. Leigh asked and obtained leave to introduce a bill entitled "An act to incorporate the Preachers' Association of the Protestant Episcopal churches of New-York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Miller asked and obtained leave to introduce a bill entitled "An act to authorise the consolidation of the Troy and Boston railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Germain asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Clinton asked and obtained leave to introduce a bill entitled "An act relative to commercial and mercantile paper," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

On motion of Mr. Peters,

Resolved, That the preamble and resolution in relation to a council of freemen, be printed.

On motion of Mr. Sterling,

Resolved, That the bill to incorporate the city of Poughkeepsie be ordered engrossed for a third reading.

Mr. Savage called up for the consideration of the House, a resolution heretofore offered by him, in the words following, to wit :

Resolved, That the bill in relation to the duties of police justices and their clerks, and the officers of police courts in the city of New-York, be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Sessions, Benedict and Morris.

On motion of Mr. Hall,

Resolved, That the Senate be requested to transmit to the Assembly the papers and petitions in regard to the application of Andrew Coates, and that the same, when received, be referred to the judiciary committee.

On motion of Mr. Sterling,

Resolved, That the bill to empower the Lancaster School Society to convey their property, be taken from the general orders, and referred to the committee on colleges, academies and common schools, and that it retain its place on the general orders.

Mr. Clinton offered for the consideration of the House a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to urge the passage of resolutions requiring the President of the United States to offer a suitable reward for the detection and conviction of the person or persons engaged in destroying the block of marble presented by Pius the Ninth, to the Washington Monument Association.

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"Ad act to confer new powers and duties upon the courts of oyer and terminer in this State."

Mr. Benedict moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	L. Miller	Smalley
Atken	Conkling	Holdridge	S. F. Miller	Speaker
Bailey	Coat	Hull	Mitchell	Stephens
Baker	Orocheron	Mat. Hutchinson	Morris	Sterling
Barrow	Cumming	Mos. Hutchinson	Nelson	Suffern
Baucus	A. A. Dunlop	Jenkins	Noble	Thorn
Beers	E. Dunlap	Kinney	Palmer	Ward
Benedict	Ferguson	Kirkland	Payne	Weed
Bergen	Fiero	Lee	Randall	Whitman
Boyd	Freeman	Littlejohn	Richardson	Wilder
Brust	Germain	Lozier	Robertson	D. Willis
Burgess	Gibbs	Maguire	Rowland	J. E. Willis
Burnett	Gleason	Mallory	Savage	Winne
Oase	Gott	Mather	Seeley	D. P. Wood
Clinton	Hall	May	Sharp	W. H. Weed
Cook	Harpur	McGraw		

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

Mr. Speaker announced the business in order, the business prescribed by the rules for the day, it being general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act authorising the Canal Appraisers to examine the claim of Michael Rush, for damages done to his canal boat."

"An act to amend the act entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts.'"

"An act to permit the Sacketts Harbor and Saratoga railroad company to construct a portion of its road through a portion of Warren and Essex counties."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fiero, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment.

On motion of Mr. Littlejohn,

Said report was laid on the table.

Mr. Fiero, from said committee reported progress on said second mentioned bill, and asked leave to sit again.

Mr. Bailey moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for its third reading.

Pending consideration of the same,

At half-past one o'clock p. m., Mr. Speaker declared the House adjourned.

FRIDAY, MARCH 10, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of yesterday were read and approved.

Mr. Freeman presented the petition of citizens of Orleans co., for the separation of office of Superintendent of Schools from that of Secretary of State, and the establishment of a distinct educational bureau, which was read and referred to the committee on colleges, academies and common schools.

Mr. Speaker presented the petition of the members of the bar of the city of Albany, in favor of a reform in the law organising the Albany city justices' court, which was read and referred to committee on the judiciary.

Mr. Jenkins presented the remonstrance of nine-tenths of the voters of the town of Burns, Allegany county, against the formation of a new county from parts of Steuben and Allegany, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Germain presented the remonstrance of sundry owners of land in the city of Buffalo, against a certain proposed amendment to the charter of said city, which was read and referred to a select committee.

Mr. Hull presented the remonstrance from citizens of Albany, against changing the route of the Saratoga and Sacketts Harbor railroad, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Harris presented the remonstrance of officers and members of 54th regiment of New-York State militia, against the repeal of the military commutation tax, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Sterling presented the petition of sundry inhabitants of Lagrange, for the removal of a gate on the Dutchess county turnpike, which was read and referred to the committee on roads and bridges.

Mr. Dewey presented the petition of the directors of the agricultural insurance company, at Jefferson and Lewis counties, for permission to change their place of business, which was read and referred to the committee on insurance companies.

Mr. Littlejohn presented the petition of the board of education of the village of Palaski, Oswego county, asking the enactment of a law authorising the Comptroller to loan \$4,000 for the erection of a public school, which was read and referred to the committee on colleges, academies and common schools.

Mr. Littlefield presented the petition of inhabitants of Jefferson county, to regulate the transportation of freight, which was read and referred to the committee on the judiciary.

Mr. Whipple presented three several petitions in favor of the gradual withdrawing of the notes of the safety fund banks, expired and expiring, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Wood presented the petition of citizens of Baldwinsville, for an act to legalise the late election in said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Littlejohn presented the petition for the repeal of the act in relation to the public schools of the city of Oswego, passed April 5, 1853, which was read and referred to the committee on colleges, academies and common schools.

Mr. Freeman presented the petition of the citizens of Albion, Orleans county, for aid to the New-York State teachers association, which was read and referred to the committee on colleges, academies and common schools.

Mr. Joy presented the petition of 39 citizens of the county of New-York, relative to fugitive slaves, which was read and referred to the committee on the judiciary.

Mr. Wilder presented a petition praying that the chief of police be elected by the voters of New-York, which was read and referred to a select committee.

Mr. Sterling presented the petition of inhabitants of Poughkeepsie, for a city charter, which was read and laid on the table.

Mr. White presented the petition of the trustees of the village of Morrisville, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Randall presented the petition of 22 citizens of Tompkins county, praying for a new county from territory near the head of Seneca lake, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Winne presented the memorial of William A. Perkins, relative to the claim of Wm. Cramer for damages occasioned by the canal, which was read and referred to the committee on claims.

Mr. Angle presented the petition of Alanson Barnard, for damages on canal contract, which was read and referred to the committee on claims.

Mr. Harris presented the petition of inhabitants of Sherburne, asking for the passage of a law to allow that town to take stock in the Utica and Binghamton railroad company, which was read and committed to the committee of the whole having in charge the bill on that subject.

Mr. Collins presented the petition of De Witt C. West, Francis Seger and 65 other citizens of Lewis county, to suppress illegal bank currency, which was read and referred to a select committee.

Mr. Wood presented the petition of sundry citizens of Onondaga county, for a bridge across the river at Albany, which was read and referred to the committee on roads and bridges.

Mr. Barrow, from the committee on claims, to which was referred the petition of Francis J. Le Valley praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Francis J. Le Valley," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barrow, from the committee on claims, to which was referred the petition of John W. Alberty and John Alberty, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of John W. Alberty and John Alberty," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Henry Rector, praying compensation for services as architect of the new State Hall, reported in writing, and asked that said committee be discharged from a further consideration of the same, which report was agreed to.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the improvement of the South branch of the Ausable river, in Essex county," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Angle, from the committee on the judiciary, to which was referred the petition of David Jones, praying for compensation for lands illegally forfeited by the State, reported the following resolution :

Resolved, (if the Senate concur,) That the commissioners of the land office be, and they are hereby authorised to inquire into the validity of the claim of David Jones against the people of this State, arising out of the forfeiture and sale of certain lands formerly belonging to Daniel Jones, and if, in their opinion said claim is well founded, they are authorised to negotiate and agree with him for the compromise of such claim, subject to the approval of the Legislature.

Ordered, That said resolution be laid on the table.

Mr. Boyd, from the committee on the petition of aliens, to which was referred the petition of Job Lee, reported adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 10,000 extra copies of the annual report of the Comptroller, on the condition of the fire insurance companies, for the use of the Legislature, and 500 for the use of the Comptroller, reported in favor of the adoption of the same, which report was agreed to.

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act for the registry of assignments of judgments, and payment of fees, in certain cases, in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to confirm the annual election of the village of Baldwinsville," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bergen, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the village of Lockport," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 500 additional copies of the report of the managers of the State lunatic asylum, for the use of the managers, reported in favor of the passage of the same, which report was agreed to.

Mr. Sessions, from the committee on ways and means, reported a bill entitled "An act to authorize the Commissioners of the canal fund to invest school monies in the bank fund stock belonging to the canal fund," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Also "An act to allow Peter Comstock pay for services rendered in improving the Ausable river in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Also "An act to extend the time for the redemption of lands sold on State taxes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows :

"An act to authorize a part of the record in the office of Secretary of State, and in the office of the clerk of Oneida county, to be transcribed and deposited in the clerk's office of the county of Lewis," to Messrs. Collins, Harpur and Benedict.

"An act in relation to the record of deeds in certain cases," to Messrs. Angle, W. H. Wood and Sharpe.

"An act for the relief of the assessors of the city and county of Albany," to Messrs. Chesebro, A. A. Dunlop and Hollenbeck.

"An act to amend an act entitled 'An act in relation to weights and measures,' passed April 11, 1851," to Messrs. Armstrong, D. Willis and Legg.

Senate bill entitled "An act to permit the Cazenovia and Chittenango turnpike company to abandon a part of their road," to Messrs. Whitman, Richardson and Kinney.

"An act in relation to the Mohawk and Newport plank road," to Messrs. Hinkley, Hall and Benedict.

"An act to amend an act in relation to the partition of lands, passed April 14, 1852," to Messrs. Mallory, Barrow and Morris.

"An act to change the name of William L. Winslow," to Messrs. Baucus, S. F. Miller and Nelson.

"An act to amend the law of libel," to Messrs. Burnett, R. J. Baldwin and W. H. Wood.

"An act to authorise the West Bloomfield and Richmond plank road company to erect an additional toll gate," to Messrs. Cost Nelson and R. Dunlap.

"An act relative to benevolent, scientific and literary corporations," to Messrs. Backus, Aitken and McGraw.

"An act to amend an act entitled 'An act to provide for incorporation of bridge companies,'" to Messrs. Baker, Mitchell and Bausus.

"An act for the preservation of the Oswego falls bridge at Fulton, Oswego county," to Messrs. Littlejohn, D. P. Wood and Brust.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the erection and establishment of a work house in the county of Erie,' passed April 16, 1846,'" to Messrs. Sill, Germain, Weed and Hatch.

"An act to appoint Joel J. Potter and David Judd, commissioners to fill vacancy, &c.," to Messrs. Burnett, C. C. Leigh and Dewey.

"An act to provide for the appointment of police officers for the town of Newburgh," to Messrs. Oushman, Thompson and Mills.

"An act providing for compensation to the county treasurer of the county of Kings, for services rendered by him under the act of April 12, 1848, relating to funds and securities in the possession of the clerk of the court of appeals," to Messrs. Backus, Bergen and Morris.

"An act to incorporate the Yonkers savings bank, in the village of Yonkers, Westchester county," to Messrs. Odell, Lee and Jenkins.

"An act for the relief of Maria Vincenta Rodriguez," to Messrs. Conkling, Graham and Winne.

"An act to incorporate the Riverhead canal and mill company," to Messrs. G. Miller, J. E. Willis and Maguire.

"An act declaring Salmon river a public highway," to Messrs. Ferguson, Littlefield and Gibbs.

"An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," to Messrs. Lozier, Gibbs and Ferguson.

"An act to amend the Union Springs plank road charter, in the county of Cayuga," to Messrs. Moseley Hutchinson, Matthias Hutchinson and Joy.

"An act to amend the acts authorising the business of banking," passed April 18, 1838, and the acts amendatory thereto."

"An act to prevent the reissue of circulating notes of banks whose charters have expired or shall hereafter expire," to Messrs. A. A. Dunlop, Fiero and Hinckley.

"An act to authorise the town of Sherburn to borrow money to aid in the construction of a railroad through said town," to Messrs. Harris, R. J. Baldwin, McGraw and Mather.

Senate bill entitled "An act to amend the charter of the village of Middletown, in the county of Orange," to Messrs. Thompson, Mills and Cushman.

"An act to confirm the official acts of Anthony Abeel, a commissioner of Highways in the town of Ohio, Herkimer county," to Messrs. Burgess, Hinckley and Baker.

"An act to extend the time for the collection of taxes in Lockport, in the county of Niagara," to Messrs. R. Dunlap, Willson and Freeman.

"An act to amend title 2, chap. 5, part 3, of the Revised Statutes, entitled proceedings to compel the determination of claims to real property, in certain cases," to Messrs. Baker, Mallory and Aitken.

"An act to authorise savings banks or institutions for savings, to deposit surplus funds in trust companies," to Messrs. Bergen, Aitken and Clinton.

"An act to incorporate the Newburgh industrial savings bank," to Messrs. Cushman, Bennett and Boardman.

On motion of Mr. Peters,

The bill entitled "An act to amend the acts authorising the business of banking, passed April 18, 1838, and the acts amendatory thereof," was recommitted to the committee of the whole.

Mr. Odell, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Mount Vernon, in the county of Westchester, and make the same a separate road district," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act for the suppression of intemperance."

Mr. Leigh moved that said bill be referred to the select committee having charge of the prohibitory liquor bill of this House, with directions to report the Senate bill complete to this House on or before Monday, 13th inst.

Mr. Fiero moved to amend by striking out "Monday, 13th," and inserting "21st."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fiero, and it was determined in the affirmative.

Mr. Lozier moved to reconsider the vote on the adoption of said amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

Mr. Payne moved to amend by striking out "Monday, 13th," and inserting "Thursday, 16th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Payne, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the first clause of the motion, proposing a reference of the bill to the select committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the second clause of the motion, fixing the time for the committee to report, and it was determined in the affirmative.

Objection having been made to giving the committee power to report complete,

Mr. Speaker then put the question whether the House would agree to the said motion as amended, excluding that clause, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a concurrent resolution, on the tariff.

Ordered, That said resolution be laid on the table.

Mr. Speaker announced the order of business third reading of bills.

Mr. Mallory moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mallory, and it was determined in the negative.

The bill entitled "An act to change the name of Emeline Kemp," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 {
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Case	Gleason	L. Miller	Smalley
Atken	Chesebro	Graham	S. F. Miller	Speaker
Bailey	Cook	Hall	Morris	Stephens
Baker	Collins	Harris	Muarce	Suffern
Backus	Conkling	Hatch	Nelson	Thompson
R. J. Baldwin	Oost	Hinkley	Noble	Thorn
S. Baldwin	Orocheron	Holdridge	Palmer	Ward
Barrow	Cumming	Mos. Hutchinson	Payne	Ware
Barton	Cushman	Jenkins	Randall	Whipple
Baucus	Dawson	Joy	Rowland	White
Beers	Dewey	Kirkland	Savage	Whitman
Benedict	A. A. Dunlop	Littlefield	Scott	D. Willis
Bennett	R. Dunlap	Littlejohn	Searing	J. E. Willis
Bergen	Ferguson	Maguire	Sessions	Winne

Boardman	Fiero	Mallory	Seeley	D. P. Wood
Bestwick	Germain	May	Sill	W. H. Wood
Burnett	Gibbs			

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Those who voted in the negative are,

Lozier	Peters	2
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Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Sessions moved to take from the table a motion to reconsider the final vote upon the bill entitled "An act to facilitate the development of lead mines in the town of Roastie, in the county of St. Lawrence.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

Mr. Lozier moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said motion, to reconsider, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

} AYES 55 {
} NOES 48 {

Those who voted in the affirmative are,

The ayes and noes being called for by ten members,

Aitken	Conkling	Harris	Mallory	Rowland
Bailey	Cost	Howell	McGraw	Savage
Baker	Crocheron	Mull	L. Miller	Scott
S. Baldwin	A. A. Dunlop	Mat. Hutchinson	S. F. Miller	Sessions
Barton	Edwards	Mos Hutchinson	Mitchell	Seeley
Benedict	Ferguson	Joy	Nelson	Sheeley
Bennett	Gibbs	Kirkland	Randall	Speaker
Bestwick	Gleason	Legg	Richards	Sterling
Brust	Gott	Littlejohn	Richardson	Thorn
Cook	Graham	Lozier	Robertson	Whitman
Collins	Hall	Maguire	Rose	Wilson

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Those who voted in the negative are,

Angle	Case	Hatch	McMurray	Stephens
Backus	Chesebro'	Hinkley	Morris	Ward
Barrow	Cumming	Holdridge	Odell	Ware
Beacua	Cushman	Jenkins	Palmer	Weed
Beers	Dawson	Kinney	Payne	Whipple
Bergen	Dewey	Leigh	Peters	White
Boardman	R. Dunlap	Littlefield	Searing	Williams
Boyd	Fiero	Martin	Sill	Winne
Burgess	Freeman	Mather	Smalley	W. H. Wood
Burnett	Germain	May		

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On motion of Mr. Bailey,
The order of business, third reading of bills, was laid on the table.

Mr. McGraw gave notice that he would move to suspend the fourth rule, in order to move that the select committee to which was referred the bill for the suppression of intemperance, have power to report complete.

Mr. Edwards gave notice that he would at an early day ask leave to introduce a bill for an act to amend the charter of the city of Troy.

Mr. Graham gave notice that he would at an early day ask leave to introduce a bill to regulate the delivery of merchandise and other articles at or upon the wharves, piers and slips of the city of Buffalo, and county of Erie.

Mr. Gleason gave notice that he would at an early day ask leave to introduce a bill to amend the Code of Procedure.

In pursuance of previous notice, Mr. Germain asked and obtained leave to introduce a bill entitled "An act in relation to the fees of justices of the peace and constables, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Hatch asked and obtained leave to introduce a bill, entitled "An act to amend the charter of the village of Lancaster, Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Ward asked and obtained leave to introduce a bill entitled "An act in relation to and reducing the several acts relating to the district courts in the city of New-York into one act," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ward, and by unanimous consent,

Said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Odell asked and obtained leave to bring in a bill entitled "An act to amend the Revised Statutes in relation to laying out and altering highways, in the town of Greenburgh, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Boardman asked and obtained leave to introduce a bill entitled "An act to amend article 4th, title 2d, chapter 18th, of part 1st of the Revised Statutes, relating to safety fund banks," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conkling offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the bill for the promotion of medical science be made the special order for Tuesday next, at the opening of the afternoon session.

Mr. Lozier moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the negative.

Mr. Lozier moved to amend said resolution by substituting "Wednesday."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, as amended, and it was determined in the negative.

On motion of Mr. Bergen, and by unanimous consent,

Resolved, That the bill to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, and to incorporate the same, be taken from the committee of the whole and referred to a select committee consisting of the committee on the incorporation of cities and villages and the delegation from Kings county, to report complete.

On motion of Mr. D. P. Wood,

Resolved, That Assembly bill No. 120, for the prevention of fires and incendiaries, be referred to a select committee to report complete.

Mr. Gott offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That the Secretary of State furnish to each of the members of this House and each of the Senators, a full copy of the Revised Statutes, for their use.

Ordered, That said resolution be referred to the committee on the expenditures of the House.

Mr. Dawson offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the pages on the floor of this House be allowed the usual amount of stationery that has been allowed on previous years, and also that each page be served with a Red Book.

Ordered, That said resolution be referred to the committee on the expenditures of the House.

Mr. Mallory offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk of this House furnish to each of the members of the select committee to which was referred the bill for the suppression of intemperance, a copy of the said bill as it passed the Senate.

Mr. Aitken moved that 500 copies of said bill be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitken, and it was determined in the negative

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Barton offered, for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the limits of the lobby of the Assembly Chamber be extended 45 feet farther towards the Speaker's desk, for the special accommodation of those who wish to lobby in favor of their favorite projects, and for other purposes.

Ordered, That said resolution be referred to the committee on the expenditures of the House.

On motion of Mr. Lozier,

Resolved, That Senate bill No. 36, entitled "An act to amend an act entitled 'An act for the preservation of the public health,' passed April 10, 1850," be referred to a select committee to report complete.

Mr. Speaker announced as such committee Messrs. Lozier, Payne, Bergen, Benedict and Weed.

On motion of Mr. Bennett, and by unanimous consent,

Resolved, That Senate bill No. 103, entitled "An act in relation to pleadings in courts of record," be taken from the committee of the whole, and referred to the committee on the judiciary, with power to report the same complete.

Mr. Freeman offered for the consideration of the House a resolution in the words following, to wit :

Resolved, (if the Senate concur,) That one thousand copies of the annual report of the trustees of the State Library, be printed for the use of the trustees.

Ordered, That said resolution be laid on the table.

On motion of Mr. Lozier,

Resolved, That the final vote on the bill entitled "An act for the suppression of intemperance," from the Senate, be taken on the 22d inst., at 12 o'clock m., at which time the Clerk shall read said bill the third time.

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House will hold an afternoon session to-day, commencing at half-past three o'clock, and that when it finally adjourns to-day, it adjourn to meet at 10 o'clock on Monday next.

Mr. Speaker put the question whether the House would agree to so much of said resolution as relates to an afternoon session, and it was determined in the affirmative.

{ AYES 51 }
{ NOES 41 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative, are

Baker	Cook	Mos. Hutchinson	Morris	Speaker
R. J. Baldwin	Crocheron	Joy	Noble	Sterling
Barrow	Cumming	Kinney	Palmer	Suffern.
Baucus	R. Dunlap	Legg	Peters	Thorn
Beers	Edwards	Leigh	Robertson	Ware
Benedict	Fiero	Lozier	Rose	Whitman
Bennett	Germain	Maguire	Rowland	Wilson
Bergen	Hatch	Mather	Sessions	J. E. Willis
Bostwick	Hull	L. Miller	Seeley	Winne
Boyd	Mat. Hutchinson	S. F. Miller	Sill	W. H. Wood
Case				

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Those who voted in the negative are,

Angle	Dewey	Howell	McMurray	Scott
Beckus	A. A. Dunlop	Jenkins	Mitchell	Ward
S. Baldwin	Gleason	Kirkland	Odell	Weed
Barton	Gott	Littlejohn	Payne	Whipple
Boardman	Graham	Mallory	Randall	White
Brust	Hall	Martin	Richards	D. Willis
Collins	Harris	May	Richardson	Williams
Corking	Hinkley	McGraw	Savage	D. P. Wood
Dawson				

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Mr. Ward asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Ward, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to so much of said resolution as relates to the adjournment of the House until Monday, and it was determined in the affirmative.

{ AYES 66 }
{ NOES 31 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Burgess	Kinney	Palmer	Suffern
Aitkin	Cape	Legg	Randall	Thompson
Baker	Cook	Leigh	Richards	Thorn
Beckus	Cost	Littlefield	Richardson	Ward
R. J. Baldwin	Crocheron	Lozier	Rose	Ware
S. Baldwin	Cushman	Maguire	Rowland	Weed
Barton	Dawson	Mallory	Scott	Whipple
Baucus	R. Dunlap	Martin	Searing	Wilson
Beers	Edwards	Mather	Sessions	D. Willis
Benedict	Ferguson	May	Seeley	J. E. Willis
Bennett	Germain	S. F. Miller	Sheeley	Williams
Boardman	Gleason	Morris	Sill	Winne
Bostwick	Graham	Nelson	Smalley	W. H. Wood
Boyd				

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Those who voted in the negative are,

Barrow	Freeman	Hinkley	Kirkland	Payne
Bergen	Gibbs	Howell	Littlejohn	Peters
Chesebro	Gott	Hull	McMurray	Robertson

Collins
Conkling
Cumming
A. A. Dunlop

Hall
Harris
Hatch

Mat. Hutchinson Mitchell
Mos. Hutchinson Noble
Jenkins Odell

Savage
Speaker
D. P. Wood

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Mr. R. J. Baldwin called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, (if the Senate concur,) That a joint committee consisting of one member of the Senate and two members from the Assembly, be appointed by a ballot, according to the provisions of the act passed May 5th, 1841, to examine the accounts of the Treasury and Canal Departments, and to examine into the condition of the Banking Department; the appointment to be made on Monday, the third day of April next.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Angle offered for the consideration of the House, the following resolutions, to wit:

Resolved, That 3,000 extra copies of the report of the Commissary General be printed for the use of the Legislature, and 250 for the use of the Commissary General.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker announced the business in order, unfinished business.

Mr. Bailey called up, for the consideration of the House, the following resolution, under consideration in this order of business at the time of adjournment yesterday:

Resolved, That the committee of the whole be discharged from the further consideration of the bill to confirm the acts of the commissioners which located the halfshire buildings in the southern jury district in Steuben county, and the same be ordered to a third reading.

Mr. Bailey moved to extend the time of adjournment fifteen minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bailey, and it was determined in the negative.

Mr. Ward moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 62 }
{ NOES 34 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Howell	Mitchell	Sterling
Aitken	Conkling	Mos. Hutchinson	Nelson	Suffern
Bailey	Crocheron	Kinney	Noble	Thompson
Baker	Cumming	Legg	Peters	Thorn
Backus	Cushman	Littlefield	Richards	Ward
Barrow	Dawson	Littlejohn	Richardsn	Weed
Benedict	Dewey	Maguire	Robertson	Whitman
Bergen	A. A. Dunlop.	Mallory	Savage	Wilder
Boardman	Freeman	Mather	Sessions	D. Willis
Boyd	Gibbs	McGraw	Sill	J. E. Willis
Burnett	Hall	McMurray	Speaker	Winne
Case	Harris	L. Miller	Stephens	W. H. Wood
Chesebro	Hinkley			

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Those who voted in the negative are,

R. J. Baldwin	Edwards	Jenkins	Odell	Seeley
Baucus	Fiero	Joy	Palmer	Sheeley
Beers	Germain	Kirkland	Randall	Smalley
Bennett	Gleason	Leigh	Rose	Whipple
Brust	Gott	Martin	Rowland	White
Burgess	Holdridge	May	Scott	Williams
R. Dunlap	Mat. Hutchinson	S. F. Miller	Searing	

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Mr. Speaker then put the main question, it being whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of Mr. Fiero, from the committee of the whole, upon the bill entitled "An act to permit the Sacketts Harbor and Saratoga railroad company to construct a portion of its road through a portion of Warren and Essex counties," reporting progress upon the same, and asking leave to sit again, and it was determined in the affirmative.

On motion of Mr. Collins,

At twenty minutes past one o'clock, the House took a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act for the better support of the poor of the town of Newburgh, in the county of Orange,' passed March 23, 1853," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Speaker announced the business in order unfinished business.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to permit the Sacketts Harbor and Saratoga railroad company to construct a part of its road through the counties of Warren and Essex."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fiero, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Thorn presented the remonstrance of inhabitants of Dutchess county, against the repeal of an act for the removal of the gate near Poughkeepsie, on the Dutchess county turnpike, which was read and referred to a select committee.

By unanimous consent,

Mr. Ware presented the remonstrance of Robert M. Patrick, against the bill entitled "An act to regulate the delivery of merchandise upon the piers at the city of New-York and county of Kings," which was read and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Hinkley, from the select committee to which was referred the bill entitled "An act in relation to the Mohawk and Newport plank road company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Backus, from the select committee to which was referred the bill entitled "An act in relation to benevolent, scientific and literary corporations," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Backus, from the select committee to which was referred the bill entitled "An act providing for compensation to the county treasurer of the county of Kings, for services rendered by him under the act of April 12, 1848, relating to funds and securities in the possession of the clerk of the court of appeals," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Collins moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Collins, and it was determined in the negative.

By unanimous consent,

Mr. Whitman, from the select committee to which was referred the Senate bill entitled "An act to permit the Cazenovia and Chit-

tenango turnpike company to abandon a portion of their road, and to make chapter 626 of the Session Laws of 1853 applicable to said company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Baker, from the select committee to which was referred the bill entitled "An act to amend the act passed in 1848, entitled 'An act to provide for the incorporation of bridge companies,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Baker, from the select committee to which was referred the bill entitled "An act to amend title second, chapter fifth, of part third, of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cumming, from the committee on railroads, to which was referred the petition of the Long Island company, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the act entitled 'An act relative to railroads on Long Island,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Thompson, from the select committee to which was referred the Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Middletown, in the county of Orange," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to authorise savings banks or institutions for savings to deposit surplus funds in trust companies," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Mallory, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the partition of lands,' passed April 14, 1852," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. R. Dunlap, from the select committee to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Loekport, in the county of Niagara," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Littlejohn, from the select committee, to which was referred the bill entitled "An act for the preservation of the Oswego Falls bridge at Fulton," to report complete, reported the same complete without amendment. which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Burnett, from the select committee to which was referred the bill entitled "An act in relation to pleadings in courts of records," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cushman, from the select committee, to which was referred the bill entitled "An act to provide for the appointment of police officers for the town of Newburgh, in the county of Orange," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Ferguson, from the select committee, to which was referred the bill entitled "An act declaring Salmon river a public highway," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Conkling, from the select committee to which was referred the bill entitled "An act to enable Maria Vincenta Rodriguez, an alien, to hold, grant and convey certain real estate or interest therein, and to appoint her trustee under the will of Vincenta Rodriguez, passed June 18, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Burnett, from the select committee, to which was referred the bill entitled "An act to authorise Joel J. Potter and David Judd, as commissioners to fill a vacancy," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cushman, from the select committee to which was referred the bill entitled "An act to incorporate the Newburgh industrial savings bank," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the education of the children of the Indians of the Onondaga reservation, in the county of Onondaga, in this State."

"An act to provide for the education of the children of the Oneida Indians."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Searing, from said committee, reported that the committee had gone through said bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. Lozier asked leave of absence for three days, which was granted.

On motion of Mr. Kirkland,

Leave of absence was granted to Mr. Underwood for four days.

On motion of Mr. D. P. Wood,

Leave of absence was granted to Mr. Munroe for three days.

Mr. Lozier asked that some member be substituted for him, to serve during his absence, on the select committee on the bill for the suppression of intemperance, which was granted.

Mr. Speaker named Mr. McGraw in Mr. Lozier's stead.

On motion of Mr. Gleason,

At six o'clock p. m., the House adjourned.

MONDAY, MARCH 13, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of Friday, March 10, were read and approved.

Mr. Moseley Hutchinson presented three several remonstrances of inhabitants of Cayuga county, against the abolition of the office of superintendent of the poor in said county, and sale of the poor fund property thereof, which was read and committed to the committee of the whole.

Mr. Williams presented resolutions passed at a meeting of the citizens of the village of Prattsburgh, in favor of raising money for highway purposes, which was read and committed to the committee of the whole.

Mr. Benedict presented the petition of town officers of Whites-town, for a law authorising said town to raise \$2,000 by tax for the purpose of repairing bridges in said town; and with said petition a bill for the aforesaid purpose, which by unanimous consent were referred to a select committee consisting of the Oneida county delegation, with power to report complete.

Mr. Harris presented the petition of 137 citizens of Chenango and Otsego counties, against a law allowing the Utica and Bridge-water plank road company to abandon part of their road, which was read and referred to the committee on roads and bridges.

Mr. Benedict presented the petition of Mrs. J. Kelly, for damages by falling through a canal bridge, which was read and referred to the committee on canals.

Mr. Stephens presented a petition for the relief of Alexander Russell and others, which was read and referred to the committee on the judiciary.

Mr. Willis presented a petition praying for an act protecting persons in forwarding property by railroad or steamboat in the event of property being lost or delayed, which was read and referred to the committee on railroads.

Mr. Germain presented the petition of many of the large business houses in the city of New-York, asking an increase of the rates of wharfage in said city, which was read and referred to the committee of the whole.

Mr. Harris presented the petition of taxable inhabitants of Norwich, for the passage of a law authorising said town to borrow money to aid in the construction of the Utica and Binghamton railroad, which was read and referred to a select committee.

Mr. Conkling presented the memorial of the corn exchange in the city of New-York, praying for the amendment of the usury laws, which was read and committed to the committee of the whole.

Mr. Harris presented the petition of inhabitants of New Berlin, for an appropriation to New-York central college, which was read and referred to the committee on colleges, academies and common schools.

Mr. R. Dunlap presented the petition of sundry inhabitants of West Troy, asking for an amendment to their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hutchinson presented the petition of inhabitants of Cayuga county, praying for the passage of a law in accordance with the resolutions of the board of supervisors of said county, in relation to the poor fund thereof, which was read and committed to the committee of the whole.

Mr. Clinton presented the petition of John W. Mitchell and others for an act to incorporate the general protestant episcopal Sunday school union and church book society, which was read

and referred to the committee on charitable and religious societies.

Mr. Gleason presented the memorial of citizens of Fulton and Montgomery counties, praying for the passage of a law to incorporate the Fulton and Montgomery county mutual fire insurance association, which was read and referred to the committee on insurance companies.

Mr. Boardman presented the resolutions passed by the town of Camden, Oneida county, at the annual town meeting, 1854, relating to the act entitled "An act for the preservation of public health, passed April 10, 1850," which was read and referred to a select committee.

Mr. Mitchell presented the resolutions passed by the town of Western, Oneida county, at their annual town meeting in 1854, relating to the act for the preservation of public health, passed April 10, 1850, which was read and referred to a select committee.

Mr. Barrow presented 60 remonstrances of citizens of New-York city, against the wharfrage bill, which was read and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which to which was referred the bill entitled "An act to repeal an act to regulate the fees for searches in the office of the clerk of the city of New-York," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law.

Mr. Barrow moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Barrow, and it was determined in the negative.

On motion of Mr. Peters,

Ordered, That said report be laid on the table.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act as to the time of payment of sight drafts or bills of exchange and promissory notes," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burgess, from the committee on insurance companies, to which was referred the petition of Ethan S. Wilson, praying for the establishment of a new system of fire insurance, reported adversely to the prayer of the petitioner, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative,

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act defining the powers of boards of supervisors in certain cases," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the Aspinwall and Panama telegraph company," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Harris, from the select committee, to which was referred the bill entitled "An act to authorise the town of Sherburne to borrow money, to aid in the construction of a railroad through said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Harris, from the select committee, to which was referred the bill entitled "An act to authorise the town of Norwich to borrow money to aid in the construction of the Utica and Binghamton railroad," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burgess, from the select committee, to which was referred the bill to confirm the official acts of Anthony Abeel, a commissioner of highways of the town of Ohio, in the county of Herkimer, to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Chesebro, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act for the relief of assessors for enrolling the militia in the year 1852,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the select committee to which was referred the bill entitled "An act further to amend the charter of the city of Rochester," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act to authorise the town of Whitestown to raise \$2,000 to erect and repair bridges in said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. E. Willis, from the select committee to which was referred the bill entitled "An act to incorporate the Riverhead canal

and mill company," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Collins, from the select committee to which was referred the bill entitled "An act to authorise a part of the records in the office of the Secretary of State, and in the office of the clerk of the county of Oneida, to be transcribed and deposited in the clerk's office of the county of Lewis," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Sessions, from the select committee to which was referred the bill entitled "An act in relation to the duties of police justices and their clerks and the officers of police courts, in the city of New-York," to report complete reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baucus, from the select committee to which was referred the bill entitled "An act to change the name of William S. Winslow to William S. Waterman," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bailey, from the committee on insurance companies, to which was referred the petition of the Suffolk county mutual insurance company, praying for an extension of their charter, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burnett, from the majority of the select committee to which was referred the bill entitled "An act authorising the surrogate of the county of Genesee to issue letters of administration upon the estate of John Blacksmith, deceased," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a communication containing the opinion of the Attorney General in answer to a resolution of inquiry calling upon the Commissioners of the Land office, in respect to certain land laws.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit :

"An act to amend the 6th section of article 1, of title 4, of part 1 of the Revised Statutes, in reference to the time of opening the polls at elections in the county of Westchester," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to land on Harlem heights, in the 12th ward of the city of New-York, formerly belonging to Susan Barclay," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Conkling, and by unanimous consent, Said committee was empowered to report said bill complete.

"An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers' dwellings, within this State, and relinquishing title to Little Island, on the Hudson river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the East Brooklyn savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to establish free schools in the village of Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled as follows:

"An act for the relief of Harvey Milton and George Brayton."

"An act to provide for additional compensation of justices of sessions designated to hold the court of sessions in the county of Erie."

"An act to extend the time for a compliance of Northern railroad company, with the second section of their act of incorporation."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Hall, and by unanimous consent,

The following bills were taken from the committee of the whole and referred to a select committee, to be reported complete:

"An act to incorporate the Ogdensburgh water works co."

"An act to amend the charter of the village of Ogdensburgh."

"An act in relation to the appointment of assessors in the town of Oswegatchie, St. Lawrence county."

By unanimous consent,

The Senate bill entitled "An act to amend the Revised Statute in relation to agents of State prisons," was read a third time:

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Burgess	Gleason	Legg	Robertson
Altken	Burnett	Graham	Littlefield	Rowland
Bailey	Cook	Hall	Littlejohn	Seeley
Baker	Collins	Hinkley	Mallory	Sheeley
R. J. Baldwin	Cost	Holdridge	McGraw	Sill
S. Baldwin	Cushman	Howell	G. Miller	Speaker
Barrow	Dewey	Hull	L. Miller	Stephens
Baucus	A. A. Dunlop	Mat. Hutchinson	Mitchell	Ward
Beers	R. Dunlop	Mos. Hutchinson	Morris	Weed
Benedict	Edwards	Jenkins	Nelson	White
Bennett	Ferguson	Joy	Palmer	Whitman
Bergen	Freeman	Kinney	Peters	Wilson
Boardman	Germain	Kirkland	Richards	J. E. Willis
Boyd	Gibbs			

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Ordered, That the clerk deliver said bill to the Senate with a message informing that the Assembly have passed the same without amendment.

Mr. Bergen moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the negative.

The bill entitled "An act for the relief of the Medina and Alabama plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 66 }
{ NOES 04 }

Those who voted in the affirmative are,

Bailey	Burnett	Gosham	Littlejohn	Seeley
Baker	Cook	Graham	Mallory	Sheeley
R. J. Baldwin	Collins	Hall	McGraw	Sill
S. Baldwin	Cost	Harris	G. Miller	Speaker
Barrow	Cushman	Hinkley	L. Miller	Stephens
Baucus	Dewey	Holdridge	Morris	Ward
Beers	A. A. Dunlop	Hull	Nelson	Weed
Benedict	R. Dunlop	Mos. Hutchinson	Noble	White
Bennett	Ferguson	Jenkins	Palmer	Whitman
Bergen	Freeman	Kinney	Peters	Wilson
Boardman	Germain	Kirkland	Richards	J. E. Willis
Eastwick	Gibbs	Legg	Robertson	Williams
Boyd	Gleason	Littlefield	Sessions	Winne
Burgess				

66

Those who voted in the negative are,

Angle	Howell	Mat. Hutchinson	Joy	Sharp
Mitchell				

6

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to pleadings in courts of record," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Hall	Littlejohn	Sessions
Aitkin	Cook	Harris	Mallory	Seeley
Bailey	Collins	Hinkley	McGraw	Sharp
Baker	Cushman	Hollenbeck	G. Miller	Sheeley
B. J. Baldwin	Dewey	Howell	L. Miller	Speaker
S. Baldwin	A. A. Dunlop	Hull	Mitchell	Stephens
Barrow	R. Dunlap	Mat. Hutchinson	Morris	Ward
Baucus	Ferguson	Mos. Hutchinson	Noble	Weed
Beers	Freeman	Jenkins	Palmer	White
Benedict	Germain	Joy	Peters	Whitman
Bennett	Gibbs	Kinney	Richards	Wilson
Bergen	Gleason	Kirkland	Robertson	J. E. Willis
Boardman	Gorham	Legg	Rose	Williams
Boyd	Graham	Littlefield		

68

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Peters,

This order of business was laid on the table until 12 o'clock.

Mr. Sheeley gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of Fallsburgh, in Sullivan county.

Mr. Boyd gave notice that he would, at an early day, ask leave to introduce a bill to make the office of county clerk in the several counties in this State, a salaried office.

By unanimous consent,

Mr. Harris asked and obtained leave to introduce a bill entitled "An act to confer upon counsellors of law powers of commissioners of deeds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. E. Willis asked and obtained leave to introduce a bill entitled "An act to empower the town of Leroy, in Jefferson county, to raise two hundred and fifty dollars in addition to that now allowed by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Richards asked and obtained leave to introduce a bill entitled "An act to repeal an act establishing the central park in the city of New-York," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Peters asked and obtained leave to introduce a bill entitled "An act to amend chapter 224 of the Laws of 1853, entitled 'An act to amend the several acts relating to the powers and duties of the commissioners of emigration and for the regulation of the marine hospital,' passed April 13, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee having in charge the bill on that subject.

By unanimous consent,

Mr. Gleason asked and obtained leave to introduce a bill entitled "An act for the relief of the Fulton and Montgomery county mutual insurance association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent,

Mr. A. A. Dunlop asked and obtained leave to introduce a bill entitled "An act to amend the charter of West Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. McGraw moved a suspension of the fourth rule of this House, for the purpose of moving that the select committee to which was referred the Senate bill entitled "An act for the suppression of intemperance," be empowered to report the same complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. McGraw, and it was determined in the affirmative.

Mr. McGraw moved that said committee be empowered to report said bill complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. McGraw, and it was determined in the affirmative, as follows:

{ AYES 40 {
{ NOES 31 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Freeman	Hull	Mallory	Robertson
S. Baldwin	Gleason	Mat. Hutchinson	McGraw	Rose
Beers	Gorham	Mos. Hutchinson	G. Miller	Seaton
Benedict	Hall	Joy	L. Miller	Sill
Bennett	Harris	Kinney	S. F. Miller	Weed
Boardman	Hinkley	Kirkland	Mitchell	Wilson
Boyd	Holdridge	Legg	Palmer	J. E. Willis
Cook	Howell	Littlejohn	Peters	Williams

40

Those who voted in the negative are,

Angle	Burgess	A. A. Dunlop	Graham	Seeley
Aitken	Burnett	R. Dunlap	Jenkins	Sharp
Baker	Collins	Edwards	Littlefield	Stephens
R. J. Baldwin	Cost	Ferguson	Morris	Ward
Barrow	Cushman	Germain	Nelson	White
Baucus	Dewey	Gibbs	Richards	Whitman
Bergen				

81

By unanimous consent,

Mr. Burnett, from the select committee, to which was referred the bill entitled "An act to amend the law of libel," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. White offered for the consideration of the House, a preamble and resolution in the words following, to wit :

Whereas, The few surviving officers and soldiers who served under Generals Harmer, St. Clair and Wayne, in the Indian war of 1791 and 1792, have a just claim for pensions from the General Government; and whereas, a portion of them are in very indigent circumstances; and whereas, a prosperous and grateful country owes it to itself, not to suffer its early defenders to remain its creditors; therefore,

Resolved, (if the Senate concur,) That our Senators and the Representatives in Congress from this State, be requested to present this preamble and resolution to Congress, and to seek to obtain a provision for the surviving officers and soldiers, and the widows of officers and soldiers of the Indian war of 1791 and 1792, with arrears of pension from such date as its patriotism and wisdom shall deem just.

Ordered, That said preamble and resolution be laid on the table.

Mr. Peters called up for the consideration of the House, a preamble and resolution heretofore offered by him, in the words following, to wit :

Whereas, The repeal of the Missouri Compromise and the violation of a solemn compact by the passage of the Nebraska bill in the United States Senate, establishes the melancholy fact that the stern issue, whether freedom or slavery shall hereafter control the destinies of this Union, must now be met by the people of these United States; and that the time has come for the friends of freedom, to take action and energetic means to prevent not only the extension of slavery over free soil, but also to preserve the very existence of freedom itself; therefore,

Resolved, (if the Senate concur,) That the several States and Territories of the Union opposed to the violation of the Missouri Compromise, and thereby the extension of slavery into territory now free, be requested to send as many delegates as they have representatives in Congress to a council of freemen, to be held at the Capitol in the city of Albany, on Wednesday the 19th day of April next,

Mr. Peters moved that said resolution be made the special order for Friday, at the afternoon session, immediately after meeting.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative, as follows:

{ AYES 22 }
{ NOES 45 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Beers	Gorham	Littlefield	Peters	Wood	
Benedict	Harris	Mallory	Speaker	White	
Bennett	Howell	Mitchell	Sterling	D. Willis	
Cook	Mat. Hutchinson	Palmer	Ward	J. E. Willis	22
Germain	Joy				

Those who voted in the negative are,

Angle	Boardman	Ferguson	Jenkins	Morris	
Aitken	Boyd	Freeman	Kinney	Nelson	
Bailey	Burgess	Gibbs	Kirkland	Richards	
Baker	Burnett	Gleason	Legg	Rose	
R. J. Baldwin	Clinton	Graham	Littlejohn	Seeley	
S. Baldwin	Cushman	Hatch	McGraw	Sheeley	
Barrow	Dewey	Hinkley	G. Miller	SH	
Baucus	R. Dunlap	Hull	L. Miller	Whitman	
Bergen	Edwards	Wm. Hutchinson	S. F. Miller	Wilder	45

Mr. Speaker announced the business in order to be third reading of bills.

On motion of Mr. Morris,

That order of business was laid on the table for thirty minutes.

On motion of Mr. Mallory,

The aforesaid preamble and resolution were laid upon the table.

On motion of Mr. Edwards, and by unanimous consent,

Resolved, That the bill for an act to authorise the city of Troy to raise money by tax and loan, be referred to a select committee, and that the same be ordered to its third reading.

On motion of Mr. S. Baldwin,

The bill entitled "An act declaring Oswegatchie river a public highway and regulating the passage of logs and lumber down the same, and for the improvement of said river," was made the special order for the afternoon session of Friday of this week, immediately upon its opening.

On motion of Mr. S. Baldwin,

The bill entitled "An act declaring a part of the West Canada creek and its branches a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said streams, was made the special order for Friday afternoon session.

On motion of Mr. S. Baldwin,

The bill entitled "An act to improve the Grass river, in St. Lawrence county, for floating timber and saw logs," was made the special order for the afternoon session of Friday of this week.

Mr. Angle called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, (if the Senate concur,) That the Commissioners of the Land office be, and they are hereby authorised to enquire into the validity of the claim of David Jones against the people of this State, arising out of the forfeiture and sale of certain lands formerly belonging to Daniel Jones, and if in their opinion said claim is well founded, they are authorised to negotiate and agree with him for the compromise of such claim, subject to the approval of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole upon the unfinished business, being the bill entitled as follows:

"An act to incorporate the United States inebriate asylum, for the reformation of the poor and destitute inebriate."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Leigh, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The Senate bill entitled "An act to permit the Cazenovia and Chittenango turnpike company to abandon a portion of their road, and to make chapter 626 of the Session Laws of 1853, applicable to said company, was read a third time.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 62 }
{ NOES 08 }

Those who voted in the affirmative, are

Bailey	Cook	Hinkley	Morris	Speaker
Baker	Collins	Holdridge	Nelson	Stephen
E. J. Baldwin	Cushman	Hull	Noble	Thorn
S. Baldwin	Dewey	Mat. Hutchinson	Odeil	Ward
Barrow	A. A. Dunlop	Mos. Hutchinson	Palmer	Weed
Baucus	Edwards	Kinney	Peters	Whitman
Beers	Ferguson	Kirkland	Richards	Wilson
Benedict	Freeman	Legg	Robertson	Wilder
Bennett	Germann	Littlefield	Sessions	D. Willis
Bergen	Gleason	Mallory	Seeley	J. E. Willis
Boardman	Gorham	McGraw	Sheeley	Williams
Boyd	Graham	L. Miller	Sill	Winn
Burgess	Hall			

63

Those who voted in the negative are,

Angle	Burnett	Hatch	S. F. Miller	Mitchell
Aitken	Harris	Howell		

8

Mr. Angle moved to reconsider the vote just taken.

On motion of Mr. Angle,

Said motion was laid upon the table.

The Senate bill entitled "An act in relation to the Williamsburgh and Cypress Hill plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burnett	Gorham	Leigh	Seeley
Aitkin	Clinton	Hall	Littlefield	Sill
Bailey	Cook	Harris	Mallory	Speaker
Baker	Collins	Hatch	McGraw	Stephens
R. J. Baldwin	Cushman	Hinkley	G. Miller	Thorn
S. Baldwin	Dewey	Hollenbeck	L. Miller	Ward
Barrow	A. A. Dunlop	Hull	S. F. Miller	Whitman
Baucus	R. Dunlap	Mat. Hutchinson	Mitchell	Wilson
Beers	Edwards	Mos. Hutchinson	Noble	Wilder
Benedict	Ferguson	Joy	Palmer	D. Willis
Bennett	Freeman	Kinney	Peters	J. E. Willis
Bergen	Germain	Kirkland	Robertson	Williams
Boyd	Gibbs	Legg	Sealons	Winno
Burgess				

66

For the negative,

Weed

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the Saratoga and Hadley plank road company to increase their number of toll gates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Burgess	Harris	G. Miller	Speaker
Aitkin	Burnett	Hatch	L. Miller	Stephens
Bailey	Cook	Hinkley	S. F. Miller	Thorn
Baker	Collins	Hull	Mitchell	Ward
R. J. Baldwin	Cushman	Mat. Hutchinson	Morris	Weed
S. Baldwin	Dewey	Mos. Hutchinson	Noble	White
Barrow	A. A. Dunlop	Jenkins	Palmer	Whitman
Baucus	R. Dunlap	Joy	Peters	Wilson
Beers	Edwards	Kinney	Robertson	Wilder
Benedict	Ferguson	Kirkland	Sealons	D. Willis
Bennett	Freeman	Leigh	Seeley	J. E. Willis
Bergen	Gibbs	Littlefield	Sheeley	Williams
Boardman	Gorham	Litt'john	Sill	Winno
Boyd	Hall	Mallory		

68

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Those who voted in the negative are,

Clinton Howell

2

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act for the relief of the Williamsburgh dispensary," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hull	G. Miller	Sill
Bdley	A. A. Dunlop	Mat. Hutchinson	L. Miller	Speaker
Baker	R. Dunlap	Mos. Hutchinson	S. F. Miller	Stephens
R. J. Baldwin	Ferguson	Jenkins	Mitchell	Thorn
S. Baldwin	Germain	Joy	Morris	Ward
Barrow	Gibbs	Kinney	Noble	Weed
Beers	Gleason	Kirkland	Palmer	White
Benedict	Gorham	Legg	Peters	Whitman
Bennett	Hall	Leigh	Robertson	Wilson
Bergen	Harris	Littlefield	Rose	Wilder
Boardman	Hatch	Littlejohn	Sessions	D. Willis
Burgess	Hinkley	Mallory	Seeley	J. E. Willis
Burnett	Holdridge	McGraw	Sheeley	Winne
Clinton	Howell			

67

For the negative,

Collins

1

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the uniform militia of Richmond county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	L. Miller	Sill
Altken	Cook	Hinkley	S. F. Miller	Speaker
Bailey	Collins	Holdridge	Mitchell	Stephens
Baker	Cushman	Howell	Morris	Storling
R. J. Baldwin	A. A. Dunlop	Mos. Hutchinson	Nelson	Thorn
S. Baldwin	R. Dunlap	Jenkins	Noble	Ward
Barrow	Edwards	Kinney	Palmer	Weed
Beers	Ferguson	Kirkland	Peters	White
Benedict	Germain	Legg	Robertson	Whitman
Bennett	Gibbs	Leigh	Rose	Wilson
Bergen	Gleason	Littlefield	Scott	Wilder

Boardman	Gorham	Littlejohn	Sessions	D. Willis
Boyd	Hall	Mallory	Seely	J. E. Willis
Burgess	Harris	G. Miller	Shoeley	Winno 70

Those who voted in the negative are,

Mat. Hutchinson	Joy	2
-----------------	-----	---

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise Joel F. Pottar and David Judd as commissioners, to fill a vacancy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Clinton	Holdridge	McGraw	Sim
Aitken	Cook	Howell	G. Miller	Speaker
Bailey	Collins	Hull	L. Miller	Stephens
Baker	Cushman	Mat. Hutchinson	S. F. Miller	Sterling
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Mitchell	Thorn
Barrow	R. Dunlap	Jenkins	Morris	Ward
Baucus	Edwards	Joy	Nelson	Weed
Beers	Ferguson	Kinney	Noble	White
Benedict	Germain	Kirkland	Palmer	Whitman
Bennett	Gibbs	Legg	Peters	Wilson
Bergen	Graham	Leigh	Robertson	Wilder
Boardman	Hall	Littlefield	Sessions	D. Willis
Boyd	Harris	Littlejohn	Seely	J. E. Willis
Burgess	Hatch	Mallory	Sharp	Winno
Burnett	Hinkley			72

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the dissolution of the corporation of the Albany, Schoharie and Rensselaerville plank road company, and to authorise said company to sell or abandon portions of their route, and to make a turnpike of parts of their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 09 }

Those who voted in the affirmative are,

Aitken	Cook	Hatch	McGraw	Stephens
Bailey	Cost	Hinkley	G. Miller	Sterling
Baker	Cushman	Hollenbeck	L. Miller	Thorn
S. Baldwin	Dewey	Hull	Nelson	Ward
Barrow	A. A. Dunlop	Mat. Hutchinson	Noble	Weed
Barnes	R. Dunlap	Mos. Hutchinson	Palmer	White

Bancus	Edwards	Jenkins	Peters	Whitman
Boers	Ferguson	Joy	Robertson	Wilson
Benedict	Freeman	Kinney	Rose	Wilder
Bennett	Germain	Kirkland	Sessions	D. Willis
Bergen	Gibbs	Legg	Seeley	J. E. Willis
Boardman	Gleason	Leigh	Sheeley	Williams
Royd	Gorham	Littlejohn	Speaker	Winne
Barnett	Hall	Mallory		

68

Those who voted in the negative are,

Angle	Collins	Howell	Mitchell	Sill
Burgess	Harris	S. F. Miller	Sharp	

9

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to authorise the town of Whitestown in Oneida county, to raise \$2,000 for the erection and repairs of bridges in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	L. Miller	Sill
Aitken	Cost	Holdridge	S. F. Miller	Speaker
Bailey	Cushman	Howell	Mitchell	Stephens
Baker	Dewey	Hull	Morris	Sterling
S. Baldwin	A. A. Dunlop	Mat. Hutchinson	Nelson	Thorn
Barrow	R. Dunlap	Jenkins	Noble	Ward
Bancus	Edwards	Joy	Palmer	Weed
Boers	Ferguson	Kinney	Peters	White
Benedict	Freeman	Kirkland	Richards	Whitman
Bennett	Germain	Legg	Robertson	Wilson
Bergen	Gibbs	Leigh	Rose	Wilder
Boardman	Gleason	Littlefield	Sessions	D. Willis
Burgess	Gorham	Littlejohn	Seeley	J. E. Willis
Burnett	Graham	Mallory	Sharp	Williams
Clinton	Hall	McGraw	Sheeley	Winne
Cook	Hatch	G. Miller		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making it a penalty to pass on to or off from the Union Springs plank road by the highway crossing the same immediately west of the toll house and gate, and traveling on the said plank road without the payment of half-toll," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 02 }

Those who voted in the affirmative, are

Angle	Cost	Hinkley	G. Miller	Sill
Aitken	Cushman	Holdridge	L. Miller	Speaker
Bailey	Dewey	Hull	S. F. Miller	Stephens
S. Baldwin	A. A. Dunlop	Mat. Hutchinson	Mitchell	Sterling
Barrow	R. Dunlap	Mos. Hutchinson	Nelson	Thorn
Baucus	Edwards	Jenkins	Noble	Ward
Beers	Ferguson	Joy	Palmer	Weed
Benedict	Freeman	Kinney	Peters	White
Bonnett	Germain	Kirkland	Richards	Whitman
Bergen	Gibbs	Legg	Robertson	Wilson
Boardman	Gleason	Leigh	Rose	Wilder
Byrd	Gorham	Littlefield	Sessions	D. Willis
Burgess	Graham	Littlejohn	Seeley	J. E. Willis
Burnett	Hall	Mallory	Sharp	Williams
Chesbro	Harris	McGraw	Sheeley	Winne
Clinton	Hatch			

77

Those who voted in the negative are,

Collins Howell

2

Ordered, That the Clerk, deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Moseley Hutchinson,

Leave of absence was granted to Mr. Conkling for two days.

On motion of Mr. Baucus,

Leave of absence was granted to Mr. Lee until Thursday.

On motion of Mr. S. F. Miller,

Leave of absence was granted to Mr. Rowland for four days.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act to incorporate the Newburgh industrial savings bank," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Gott	Littlejohn	SM
Aitken	Clinton	Hall	McMurray	Snalley
Bailey	Cook	Harris	G. Miller	Speaker

Baker	Cost	Hatch	L. Miller	Sterling
S. Baldwin	Cumming	Hinkley	Mitchell	Thorn
Barrow	Cushman	Holdridge	Morris	Ward
Barton	A. A. Dunlop	Howell	Nelson	Weed
Benedict	R. Dunlap	Mat. Hutchinson	Noble	Wilder
Bennett	Ferguson	Mos. Hutchinson	Odell	D. Willis
Bergen	Fiero	Joy	Palmer	J. E. Willis
Boardman	Freeman	Kinney	Peters	Williams
Boyd	Gibbs	Kirkland	Seeley	Winne
Brust	Gleason	Legg	Sharp	D. P. Wood
Burgess	Gorham	Leigh		

68

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act relative to land on Harlem Heights, in the twelfth ward in the city of New-York, formerly belonging to Susan Barclay," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The Senate bill entitled "An act to authorize savings banks or institutions for savings to deposit surplus funds in trust companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Burgess	Gorham	L. Miller	SM
Aitken	Burnett	Gott	S. F. Miller	Smalley
Bailey	Clinton	Hall	Mitchell	Speaker
Baker	Cook	Holdridge	Morris	Stephens
R. J. Baldwin	Cost	Hull	Nelson	Sterling
S. Baldwin	Cumming	Mat. Hutchinson	Noble	Ward
Barrow	Cushman	Mos. Hutchinson	Odell	Weed
Bancus	A. A. Dunlop	Kinney	Peters	Wilder
Benedict	R. Dunlap	Kirkland	Rose	D. Willis
Bennett	Ferguson	Legg	Sessions	J. E. Willis
Bergen	Fiero	Leigh	Seeley	Williams
Boardman	Freeman	Littlejohn	Sharp	Winne
Boyd	Gibbs	G. Miller	Sheeley	D. P. Wood

65

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to repeal an act entitled 'An act in relation to highways and bridges, in the county of Montgomery,' passed July 21, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Gott	Littlejohn	Sill
Bailey	Burnett	Hall	Mallory	Smalley
Baker	Clinton	Harris	L. Miller	Speaker
R. J. Baldwin	Cook	Hatch	S. F. Miller	Stephens
S. Baldwin	Cost	Holdridge	Mitchell	Sterling
Barrow	Cumming	Howell	Morris	Thorn
Barton	Cushman	Hull	Munroe	Ward
Baucus	A. A. Dunlop	Mat. Hutchinson	Nelson	Wilson
Beers	R. Dunlap	Mos. Hutchinson	Noble	Wilder
Benedict	Ferguson	Jenkins	Peters	D. Willis
Bennett	Fiero	Joy	Rose	J. E. Willis
Bergen	Germain	Kinney	Sessions	Williams
Boardman	Gibbs	Kirkland	Seeley	Winne
Boyd	Gleason	Legg	Sharp	D. P. Wood
Brust	Gorham	Leigh	Sheeley	

74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act in relation to the partition of lands, passed April 14, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	Mills	Smalley
Bailey	Cook	Holdridge	G. Miller	Speaker
Baker	Collins	Howell	L. Miller	Stephens
R. J. Baldwin	Cost	Hull	S. F. Miller	Sterling
S. Baldwin	Cumming	Mat. Hutchinson	Mitchell	Thorn
Barrow	Cushman	Mos. Hutchinson	Nelson	Ward
Barton	A. A. Dunlop	Jenkins	Noble	Weed
Baucus	R. Dunlap	Joy	Odell	Whitman
Beers	Ferguson	Kinney	Peters	Wilson
Benedict	Fiero	Kirkland	Rose	Wilder
Bennett	Gibbs	Legg	Sessions	D. Willis
Bergen	Gleason	Leigh	Seeley	J. E. Willis
Boardman	Gorham	Littlefield	Sharp	Williams
Boyd	Gott	Littlejohn	Sheeley	Winne
Burgess	Hall	Mallory	Sill	D. P. Wood
Burnett	Harris			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the benefit of Indians,' passed April 2, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 35 }
{ NOES 46 }

Those who voted in the affirmative are,

Bailey	Cost	Mat. Hutchinson	Mills	Sill
R. J. Baldwin	Gorham	Jenkins	S. F. Miller	Weed
Beers	Hall	Joy	Mitchell	Wilson
Bennett	Harris	Kinney	Noble	Wilder
Boyd	Hatch	Kirkland	Peters	D. Willis
Brust	Hinkley	Legg	Rose	J. E. Willis
Cook	Howell	Leigh	Sessions	Winne

25

Those who voted in the negative are,

Angle	Burgess	Fiero	G. Miller	Speaker
Altken	Burnett	Freeman	L. Miller	Stephens
Baker	Clinton	Germain	Morris	Sterling
S. Baldwin	Collins	Gibbs	Nelson	Thorn
Barrow	Cumming	Gleason	Odiell	Ward
Barton	Cushman	Gott	Seeley	White
Baucus	A. A. Dunlop	Mos. Hutchinson	Sharp	Whitman
Benedict	R. Dunlap	Littlefield	Sheeley	Williams
Bergen	Ferguson	Mallory	Smalley	D. P. Wood

46

Mr. Moseley Hutchinson moved to reconsider the vote just taken.

On motion of Mr. Moseley Hutchinson,
Said motion was laid on the table.

The bill entitled "An act for the preservation of the Oswego Falls bridge, at Fulton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burnett	Hall	McGraw	Stephens
Altken	Cobb	Harris	Mills	Sterling
Bailey	Collins	Hatch	G. Miller	Snfern
Baker	Cost	Hinkley	L. Miller	Thorn
S. Baldwin	Cumming	Howell	S. F. Miller	Ward
Barrow	Cushman	Hull	Mitchell	White
Barton	A. A. Dunlop	Mat. Hutchinson	Morris	Whitman
Baucus	R. Dunlap	Mos. Hutchinson	Noble	Wilson
Beers	Ferguson	Joy	Rose	Wilder
Benedict	Fiero	Kinney	Sessions	D. Willis
Bennett	Freeman	Kirkland	Seeley	J. E. Willis
Bergen	Gleason	Legg	Sharp	Williams
Boardman	Gorham	Leigh	Sheeley	Winne
Boyd	Gott	Littlefield	Smalley	D. P. Wood
Burgess	Graham	Littlejohn	Speaker	

74

For the negative,

Peters

1

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend the act passed in 1848, entitled 'An act to provide for the incorporation of bridge companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	L. Miller	Speaker
Aitken	Collins	Hatch	S. F. Miller	Stephens
Bailey	Cost	Hinkley	Mitchell	Sterling
Baker	Cumming	Howell	Morris	Suffern
S. Baldwin	Cushman	Mat. Hutchinson	Nelson	Thorn
Barrow	A. A. Dunlop.	Mos. Hutchinson	Noble	Ward
Barton	R. Dunlap	Jenkins	Odell	Weed
Baucus	Ferguson	Joy	Palmer	White
Beers	Fiero	Kinney	Peters	Whitman
Benedict	Freeman	Kirkland	Rose	Wilson
Bennett	Gibbs	Legg	Sessions	Wilder
Bergen	Gleason	Leigh	Seeley	D. Willis
Boardman	Gorham	Littlefield	Sharp	Williams
Boyd	Gott	Littlejohn	Sheeley	Winne
Brust	Graham	McGraw	Smalley	D. P. Wood
Burgess	Hall	G. Miller		

78

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend title second, chapter fifth, of part third, of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Graham	Littlefield	Speaker
Aitken	Clinton	Hall	McGraw	Stephens
Bailey	Cook	Harris	Mills	Sterling
Baker	Collins	Hatch	G. Miller	Suffern
R. J. Baldwin	Cost	Hinkley	L. Miller	Thorn
S. Baldwin	Cumming	Howell	Mitchell	Weed

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Baucus	Cushman	Mat. Hutchinson	Morris	White
Beers	A. A. Dunlop	Mos. Hutchinson	Nelson	Whitman
Benedict	R. Dunlap	Jenkins	Peters	Wilson
Bennett	Ferguson	Joy	Scott	Wilder
Bergen	Fiero	Kinney	Sessions	D. Willis
Boardman	Gibbs	Kirkland	Sharp	J. E. Willis
Boyd	Gleason	Legg	Sheeley	Winne
Brust	Gorham	Leigh	Smalley	D. P. Wood
Burgess	Gott			

72

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the Niagara Falls water works company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	G. Miller	Speaker
Aitken	Cook	Holdridge	L. Miller	Stephens
Bailey	Cumming	Hull	Mitchell	Sterling
Baker	Cushman	Mat. Hutchinson	Morris	Suffern
R. J. Baldwin	A. A. Dunlop	Jenkins	Nelson	Thorn
S. Baldwin	R. Dunlap	Joy	Noble	Ward
Barrow	Ferguson	Kinney	Odell	Weed
Baucus	Fiero	Kirkland	Payne	White
Beers	Freeman	Legg	Peters	Whitman
Benedict	Germain	Leigh	Richards	Wilson
Bennett	Gibbs	Littlefield	Robertson	Wilder
Bergen	Gleason	Littlejohn	Sessions	D. Willis
Boardman	Gott	Mallory	Seeley	J. E. Willis
Boyd	Graham	May	Sharp	Williams
Burgess	Hall	McGraw	Sill	Winne
Burnett	Harris	Mills	Smalley	D. P. Wood 80

For the negative,

Mos. Hutchinson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend the act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April 20, 1832," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hollenbeck	L. Miller	Speaker
Aitken	Cost	Howell	S. F. Miller	Stephens
Bailey	Cumming	Hull	Mitchell	Sterling
R. J. Baldwin	Cushman	Mat. Hutchinson	Morris	Suffern
S. Baldwin	R. Dunlap	Mos. Hutchinson	Nelson	Thorn
Barrow	Ferguson	Jenkins	Noble	Ward
Barton	Fiero	Joy	Peters	Weed
Baucus	Freeman	Kinney	Richards	Whipple
Beers	Gibbs	Kirkland	Robertson	White
Benedict	Gleason	Legg	Rose	Whitman
Bennett	Gorham	Leigh	Searing	Wilson
Bergen	Gott	Littlefield	Sessions	Wilder
Boardman	Graham	Littlejohn	Seeley	D. Willis
Boyd	Hall	Mallory	Sharp	J. E. Willis
Burgess	Harris	May	Sheeley	Williams
Burnett	Hatch	McGraw	Sill	Winne
Clinton	Hinkley	G. Miller	Smalley	J. S. Wood
Cook	Holdridge			

87

On motion of Mr. McGraw,
At ten minutes before six o'clock p. m., the House adjourned.

TUESDAY, MARCH 14, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Post.

The minutes of yesterday, were read and approved.

By unanimous consent,

Mr. Hall, from the select committee to which was referred the bill entitled "An act to incorporate the Ogdensburgh water works company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Graham, and by unanimous consent,
Leave of absence was granted to Mr. Conkling for one week.

By unanimous consent,

Mr. Hall, from the select committee to which was referred the bill entitled "An act to amend the charter of the village of Ogdensburgh," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Hall, from the select committee, to which was referred the bill entitled "An act relative to assessors in the town of Oswegatchie, in the county of St. Lawrence," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

The Senate bill entitled "An act relative to land on Harlem Heights, in the twelfth ward of the city of New-York, formerly belonging to Susan Barclay," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Hinkley	Mills	Sill
Aitken	Dawson	Holdridge	L. Miller	Speaker
Bailey	Dewey	Hollenbeck	S. F. Miller	Sterling
S. Baldwin	R. Dunlap	Hoyle	Mitchell	Suffern
Beers	Ferguson	Hull	Morris	Thorn
Benedict	Fiero	Mat. Hutchinson	Munroe	Townsend
Bennett	Germain	Jenkins	Nelson	Ward
Bergen	Gibbs	Kirkland	Noble	Weed
Burgess	Gleason	Legg	Payne	Whipple
Burnett	Gott	Littlefield	Richardson	Whitman
Case	Graham	Maguire	Searing	Wilson
Clinton	Hall	Mallory	Sessions	J. E. Willis
Cook	Harris	May	Sheeley	Winne
Crocheron	Hatch	McGraw		

68

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

By unanimous consent,

The bill entitled "An act declaring the village of Antwerp a valid corporation, to enlarge its powers and to make said village a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Crocheron	Hinkley	McGraw	Sessions
Bailey	Cumming	Holdridge	Mills	Seeley
Baker	Cushman	Howell	G. Miller	Sheeley
R. J. Baldwin	Dawson	Hoyle	L. Miller	Sill
S. Baldwin	Dewey	Hull	S. F. Miller	Speaker
Barrow	A. A. Dunlop	Mat. Hutchinson	Mitchell	Stephens
Baucus	R. Dunlap	Mos. Hutchinson	Morris	Sterling
Beers	Ferguson	Jenkins	Munroe	Suffern
Benedict	Fiero	Kinney	Nelson	Thorn
Bennett	Freeman	Kirkland	Noble	Ward
Bergen	Germain	Legg	Odell	Weed
Boardman	Gibbs	Leigh	Palmer	Whitman

Burgess	Gleason	Littlefield,	Peters	Wilson
Burnett	Graham	Littlejohn	Richards	D. Willis
Case	Hall	Maguire	Richardson	J. E. Willis
Clinton	Harpur	Mallory	Rose	Williams
Cook	Hatch	May	Searing	Winne
Cost				

86

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the business in order as general orders.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to permit the Sacketts Harbor and Saratoga railroad company to construct a portion of its road through the counties of Warren and Essex."

Pending consideration thereon,

At half-past one o'clock p. m., Mr. Speaker resumed the chair, and announced that the House would take a recess until half-past three o'clock p. m.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

On motion of Mr. Burgess, and by unanimous consent,

Resolved, That the Governor be requested to return to this House the bill to amend the act to provide for the incorporation of villages, so far as relates to the village of Ilion.

By unanimous consent,

Mr. Cumming, from the select committee, to which was referred the bill entitled "An act to amend the act entitled 'An act in relation to weights and measures,' passed April 11, 1851," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act amending chapter 2, section 210, of the Code of Procedure, entitled 'Claim and delivery of personal property,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Burnett, and by unanimous consent,

The bill entitled "An act to amend article 4th, title 1st, chapter 18th, of part 1st of the Revised Statutes, relating to safety fund banks," was taken from the committee on the judiciary and referred to the committee on banks.

By unanimous consent,

Mr. Hoyle asked and obtained leave to bring in a bill entitled "An act to authorise the election of local officers to discharge the

duties of county judge and surrogate, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Hoyle asked and obtained leave to introduce a bill entitled "An act authorising the supervisor of the town of Plattsburgh, Clinton county, to lease certain property in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. J. E. Willis, from the minority of the committee on Indian affairs, to which was referred the papers of the Stockbridge and Mohawk Indians, respecting their rights to certain lands, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the Stockbridge Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Sill, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the election and establishment of a workhouse, in the county of Erie,' passed April 16, 1852,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cushman, from the select committee to which was referred the bill entitled "An act to release the Fishkill and Beekman plank road company from the construction of a part of their road, and for other purposes," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Angle, from the select committee to which was referred the bill entitled "An act in relation to the record of deeds in certain cases," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. S. Miller, from the committee on claims, to which was referred the petition of Ephraim Beach, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the appraisal and payment of canal damages sustained by Ephraim Beach," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. S. Miller, from the committee on claims, to which was referred the petition of Hugh McNair, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the appraisal and payment of canal damages to Hugh McNair," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Baucus asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Waterford, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Sterling asked and obtained leave to introduce a bill entitled "An act for the relief of the town of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Ward asked and obtained leave to introduce a bill entitled "An act to legalize certain acts of the board of supervisors of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ward, and by unanimous consent,

Said bill was referred to the committee on the internal affairs of towns and counties, to report complete.

By unanimous consent,

Mr. Crocheron asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Port Richmond and Bergen Point ferry company,' passed April 12, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Thorn, and by unanimous consent,

The bill entitled "An act to amend an act entitled 'An act in relation to nonresident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton,' passed June 8, 1853," was taken from the committee of the whole and referred to a select committee to report complete.

Mr. Speaker announced as such select committee Messrs. Thorn, Noble and Ferguson.

By unanimous consent,

Mr. Case presented the petition of 176 voters of the town of Augusta, in Oneida county, that the expenses of boards of health be charged upon the towns in which they arise, which was read and referred to a select committee.

By unanimous consent,

Mr. Sterling presented the petition of sundry inhabitants of Harpinger's Falls, for a prohibitory liquor law, which was read and referred to the select committee having in charge the bill on that subject.

By unanimous consent,

Mr. Beers presented the petition of inhabitants of Danby, Tompkins county, for an act authorising one election district in said town instead of two, which was read and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Harris presented the petition of sundry inhabitants of the town of Sherburne, for aid for the teachers association, which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Baldwin presented two several petitions of the trustees of the village of Green, for an act to amend the act incorporating said village, which were read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Sterling presented the petition of the supervisors of Dutchess county, for the relief of Poughkeepsie, which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Case presented the remonstrance of 76 citizens of the town of Bridgewater, Oneida county, against the abandonment of a portion of the Utica and Bridgewater plank road, which was read and committed to the committee of the whole, when on the bill on that subject.

By unanimous consent,

Mr. Littlejohn presented the remonstrance of sundry citizens of Oswego city, against the repeal of school laws of said city, which was read and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. Maguire presented 8 several remonstrances of members of the New-York corn exchange, against the bill for regulating the delivery of merchandise at the wharves and piers of the city of New-York and Brooklyn, which were read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Ward presented 94 several remonstrances from New-York city, upon the same subject, which were read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Sterling presented the petition of sundry inhabitants of Poughkeepsie for a city charter, which was read and laid on the table.

By unanimous consent,

Mr. Dewey presented the petition of a stockholder against the act to allow the directors of the Watertown and Rome railroad company, to endorse the bonds of the Watertown and Potsdam railroad company, which was read and referred to the committee on railroads.

By unanimous consent,

Mr. Speaker presented the remonstrance of merchants and forwarders of Albany, against the passage of the New-York wharfage bill, which was read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Angle presented the remonstrance of 262 citizens of Monroe county, against a bill to incorporate companies to navigate the canals of this State, which was read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Townsend presented a remonstrance against the passage of a law doing away with the office of county superintendent of the poor in Cayuga county, which was read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Case presented a resolution of the town of Camden, Oneida county, asking for the repeal of the law authorising boards of health, which was read and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Case presented an application from the town of Vernon in the county of Oneida, for an amendment to the law in relation to boards of health so far as said county is concerned, which was read and referred to the committee on internal affairs of towns and counties.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit:

"An act for the relief of the Poughkeepsie and Stormville plank road company."

"An act to authorise Edward Van Wart to establish and continue a ferry across the Hudson from Sing Sing to Rockland Lake and Haverstraw."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced the business in order general orders, it being so prescribed by the rules.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to permit the Sacketts Harbor and Saratoga railroad company to construct a portion of its road through a portion of Warren and Essex counties."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fiero, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. J. E. Willis,

The committee of the whole was discharged from the further consideration of the aforesaid bill, and it was referred to a select committee to report complete.

By unanimous consent,

Mr. Mallory, from the select committee to which was referred the communication from the canal appraisers in relation to the claim of Jacob Graves and other mill owners at Rochester, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Jacob Graves and other mill owners at Rochester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Mallory, from the majority of the select committee, to which was referred the bill entitled "An act to regulate the salary of the district attorney of the county of Putnam," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

By unanimous consent,

Mr. Wood, from the select committee to which was referred the bill entitled "An act to provide for inquiring into the causes of fires and to prevent incendiarism," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Boardman,

At fifteen minutes past six o'clock p. m., the House adjourned.

WEDNESDAY, MARCH 15, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of yesterday were read and approved.

Mr. Speaker announced as the special committee to consider and report complete the bill entitled "An act to permit the Sacketts Harbor and Saratoga railroad company to run a portion of their road through the counties of Warren and Essex," Messrs. Dewey, Noble, Burnett, Sessions and Payne.

Mr. Hatch presented 5 several remonstrances of inhabitants of Erie county, against any change in the plank road law, which were read and referred to the committee on roads and bridges.

Mr. White presented the remonstrance of E. G. Babcock and others of Brookfield, against the Bridgewater and Utica plank road company abandoning a part of their road, which was read and referred to the committee on roads and bridges.

Mr. Morris presented the remonstrance of the common council of the city of Brooklyn, against the passage of a bill now before the Legislature proposing to tax personal property of nonresidents in the city of New-York, which was read and laid on the table.

Mr. Aitken presented 40 several remonstrances against the wharfage bill, which were read and referred to the New-York delegation.

Mr. Hinkley presented the petition of sundry persons in the town of Norway, Herkimer county, asking for a law to allow that town to raise money to aid in building the Troy and Oswego railroad, which was read and referred to the committee on railroads.

Mr. Wood presented the petition of inhabitants of the village of Ellicottville, for a law legalising the election of trustees and other officers of said village, which was read and referred to the committee on the judiciary.

Mr. Thorn presented the petition of Addison Stuart and others, praying that the wooden lock dam on the Champlain canal in Fort Ann, may be lowered so as to prevent damage to valuable land, which was read and referred to the committee on canals.

Mr. Willis presented the petition of the trustees of the village of Port Jarvis, for a law authorising a charter election, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Speaker presented a memorial of Paschal Franchat relative to change of the name of the town of Morris in the county of Otsego, to Hillington, which was read and referred to a select committee.

Mr. R. Dunlap presented the petition of inhabitants of Lockport, to repeal section 5th of an act to amend an act in relation to common schools in that village, which was read and referred to the committee on colleges, academies and common schools.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of the citizens of Frankfort, Herkimer county, praying for a law authorising said town to borrow fifteen hundred dollars for the improvement of the Moyer creek road, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for the alteration, reconstruction and improvement of the public highway in Frankfort, Herkimer county, known as the Moyer creek road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Barber, from the committee on the judiciary, to which was referred the petition of Andrew Coats, praying for an act to authorise him to take, hold and convey real estate, reported, and asked and obtained leave to bring in a bill entitled "An act to

authorise Andrew Coats to take, hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Odell, from the select committee to which was referred the bill entitled "An act to incorporate the Yonkers savings bank," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Thorn, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to nonresident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton,' passed June 8, 1853," to report complete, reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Peters, from the committee on railroads, to which was recommitted the Senate bill entitled "An act to authorise the Watertown and Rome railroad company to endorse and guarantee the bonds of the Potsdam and Watertown railroad company," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows :

The Senate bill entitled "An act to enable the Myrtle avenue and Jamaica plank road company to borrow money and locate toll gates," to Messrs. Searing, Randall and Ware.

The Senate bill entitled "An act to provide for raising money upon the town of Lyons, to rebuild a bridge therein," to Messrs. Bennett, Gott and Wilder.

The Senate bill entitled "An act to settle the boundary line between Niram Sackett and the lands of the Seneca nation of Indians," to Messrs. Joy, Kirkland and Rose.

"An act to amend an act entitled 'An act to organise and establish a recorder's court in the city of Oswego,'" to Messrs. Littlejohn, Holdridge and Brust.

"An act in relation to the Cypress Hills cemetery," to Messrs. D. Willis, Searing and Littlefield.

"An act to authorise Charles D. Adams to sell and convey real estate of George Hobinger, a criminal in the Auburn state prison," to Messrs. Collins, Gott and Sterling.

"An act in relation to the Binghamton railroad company, empowering it to apply for appraisement of land on complying with certain conditions," to Messrs. Benedict, Harpur and Thompson.

"An act to repeal the act entitled 'An act to regulate the rate of wharfage on lighters in the cities of New-York and Brooklyn,

passed April 13, 1852," to Messrs. Graham, D. Willis and Richards.

"An act to legalise the official acts of Warren H. Wright, a justice of the peace," to Messrs. L. Miller, Gibbs and J. E. Willis.

"An act to amend an act to create a fund in aid of the society for the reformation of juvenile delinquents in the city of New-York and for other purposes, passed April 29, 1829," to Messrs. Leigh, Cumming and Hull.

"An act changing the name of the town of Morris to that of Hillington," to Messrs. Burnett, Harpur, Seeley, Whipple and Mather.

"An act for the relief of John Dillenbeck," to Messrs. Whipple, Seeley and Mather.

"An act declaring the west branch of the St. Regis river a public highway," to Messrs. Ferguson, Dawson and Moseley Hutchinson.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorise the election of a police justice in the town of Newburgh,'" to Messrs. Cushman, Boardman and Case.

"An act creating a permanent board of commissioners for making estimate and assessments for opening, widening or otherwise improving avenues and streets, and for the making and laying out or improving any public place or other public ground in the city of New-York," to Messrs. Ward, Cumming and Aitken.

The Senate bill entitled "An act to reduce the criminal expenses of the town of Watervliet, in the county of Albany," to Messrs. A. A. Dunlop, Chesebro and Wilson.

"An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens," to Messrs. Fiero, S. F. Miller and Townsend.

"An act to amend the charter of the village of Waddington, in the county of St. Lawrence," to Messrs. S. Baldwin, L. Miller and Hall.

"An act for the better regulation of the firemen in the city of New-York," to Messrs. Cumming, Ward and Maguire.

"An act to authorise the town of Malone to borrow money for the purpose of widening and improving the bridge over Salmon river," to Messrs. Ferguson, Martin and Williams.

"An act to amend an act entitled 'An act to amend an act to incorporate the village of Perry,' passed July 5, 1853," to Messrs. Rose, Cost and McMurray.

"An act for the better security of mechanics and others, erecting buildings or furnishing materials therefor, in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung, and the town of Newburgh, in the county of Orange, passed April 16, 1852," to Messrs. Odell, Edwards and Randall.

"An act authorising and requiring the county of Dutchess to pay to the county of Putnam the expense of the trial of William

Somers, for murder," to Messrs. Sterling, Rostwick and Suffern.

On motion of Mr. Freeman,

The bill entitled "An act in relation to excise money in the county of Orleans," was taken from the committee of the whole and referred to a select committee.

Mr. Speaker announced as such committee Messrs. Freeman, McGraw and Legg.

On motion of Mr. Angle,

The motion to reconsider the final vote on the Senate bill entitled "An act to permit the Cazenovia and Chittenango plank road company to abandon a part of their road, and to make chapter 626 of the Session Laws of 1853 applicable to said company," was taken from the table.

Mr. Angle moved the adoption of the motion to reconsider.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Angle, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Coit	Graham	May	Speaker
Aitken	Crocheron	Hall	G. Miller	Stephens
Bailey	Cumming	Hatch	L. Miller	Suffern
E. J. Baldwin	Cushman	Hinkley	Mitchell	Townsend
S. Baldwin	Dawson	Hull	Morris	Ward
Beers	Dewey	Mat. Hutchinson	Munroe	Whipple
Bennett	A. A. Dunlop	Mos. Hutchinson	Nelson	White
Bergen	R. Dunlap	Jenkins	Noble	Whitman
Boardman	Edwards	Joy	Odell	Wilson
Boyd	Ferguson	Kinney	Rose	Wilder
Brust	Fiero	Kirkland	Roland	D. Willis
Case	Gibbs	Legg	Searing	Williams
Clinton	Gleason	Leigh	Sessions	D. P. Wood
Collins	Gott	Littlefield	Seeley	W. H. Wood 70

The aforesaid bill then coming up for its third reading,

On motion of Mr. Angle, and by unanimous consent,

Said bill was amended by striking out the words "such portions of," in the 1st line of the 2d section, and inserting the words "not exceeding one hundred rods from the south end of."

On motion of Mr. Burnett, and by unanimous consent,

Said bill was further amended by prefixing to the 2d line in the 2d section the words "on obtaining the consent of the stockholders holding the greatest amount of stock in said road."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cost	Hall	L. Miller	Sterling
Aitken	Crocheron	Harpur	Mitchell	Suffern
Bailey	Cumming	Hinkley	Morris	Townsend
Baker	Cushman	Holdridge	Nelson	Underwood
S. Baldwin	Dawson	Hoyle	Noble	Ward
Bancus	Dewey	Hull	Odell	Whipple
Beers	R. Dunlap	Mat. Hutchinson	Richardson	White
Bennett	Edwards	Mos. Hutchinson	Robertson	Whitman
Bergen	Ferguson	Jenkins	Rose	Wilson
Boyd	Fiero	Kinney	Scott	Wilder
Brust	Freeman	Leigh	Sessions	Williams
Burnett	Germain	Maguire	Seeley	Winne
Case	Gibbs	May	Shesley	D. P. Wood
Clinton	Gorham	McMurray	Speaker	J. S. Wood
Cook	Gott	Mills	Stevens	W. H. Wood
Collins	Graham	G. Miller		

78

For the negative,

Legg

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly had passed the same with amendments.

The Senate bill entitled "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Sullivan," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Harpur	Mitchell	Speaker
Aitken	Crocheron	Hinkley	Munroe	Stevens
Bailey	Cumming	Holdridge	Nelson	Sterling
Baker	Cushman	Hull	Noble	Suffern
R. J. Baldwin	Dawson	Mat. Hutchinson	Odell	Thorn
S. Baldwin	Dewey	Mos. Hutchinson	Payne	Townsend
Barrow	A. A. Dunlap	Jenkins	Peters	Underwood
Barton	R. Dunlap	Kinney	Richards	Ward
Beers	Edwards	Kirkland	Richardson	Whipple
Bennett	Ferguson	Leigh	Robertson	Whitman
Bergen	Fiero	Littlefield	Rose	Wilson
Boardman	Freeman	Maguire	Rowland	Wilder
Brust	Germain	Martin	Scott	D. Willis
Burgess	Gibbs	McGraw	Searing	Williams
Burnett	Gleason	McMurray	Sessions	Winne
Chasebro	Gott	Mills	Seeley	D. P. Wood
Clinton	Graham	G. Miller	Shesley	J. S. Wood
Collins	Hall	L. Miller	Sill	W. H. Wood

90

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Dewey, from the select committee to which was referred the petition of Franklin B. Hough, for aid in prosecuting certain historical enquiries, reported in writing, and asked and obtained leave to bring in a bill entitled "An act to assist Franklin B. Hough in prosecuting certain historical enquiries," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Boardman,

The motion to reconsider the final vote taken upon the Senate bill entitled "An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lots sold Peter Smith made any mistake in measuring and computing the same, and if so to correct the same," was taken from the table.

Mr. Boardman then moved the adoption of the motion to reconsider.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Boardman, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 89 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Hoyle	L. Miller	Stephens
Aitken	Cumming	Hull	Mitchell	Sterling
Bailey	Cushman	Mat. Hutchinson	Morris	Suffern
R. J. Baldwin	Dawson	Mos. Hutchinson	Nelson	Townsend
S. Baldwin	Dewey	Jenkins	Noble	Underwood
Barrow	A. A. Dunlop	Joy	Odell	Ward
Barton	Edwards	Kinney	Palmer	Weed
Beers	Ferguson	Kirkland	Payne	Whipple
Bennett	Fiero	Legg	Peters	White
Bergen	Gibbs	Leigh	Rapdall	Whitman
Boardman	Gleason	Littlefield	Richardson	Wilson
Brust	Gott	Littlejohn	Robertson	Wilder
Burgess	Hall	Maguire	Rowland	D. Willis
Case	Harris	May	Searing	J. E. Willis
Chesebro	Hinkley	McGraw	Sessions	Winne
Clinton	Holdridge	McMurray	Seeley	D. P. Wood
Cook	Hollenbeck	Mills	Sharp	W. H. Wood
Collins	Howell	G. Miller	Sheeley	

88

For the negative,

Harpur

1

On motion of Mr. Littlejohn,

The aforesaid bill was referred to a select committee to report complete.

Mr. Speaker announced as such committee Messrs. Littlejohn, Angle, Morris, W. H. Wood and G. Miller.

The bill entitled "An act to incorporate the Oxford Academy Boarding Association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Mat. Hutchinson	Munroe	Sheeley
Altken	Dawson	Mos. Hutchinson	Nelson	Still
Biley	Dewey	Jenkins	Nubla	Sterling
Baker	A. A. Dunlop	Joy	Odell	Suffern
K. J. Baldwin	R. Dunlap	Kinney	Payne	Townsend
S. Baldwin	Edwards	Kirkland	Peters	Underwood
Barrow	Ferguson	Leigh	Richardson	Ward
Beers	Fiero	Littlefield	Robertson	Whipple
Bennett	Freeman	Martin	Rose	Whitman
Bergen	Germain	McGraw	Rowland	Wilson
Boardman	Gott	McMurray	Scott	D. Willis
Brust	Hall	Mills	Searing	Williams
Collins	Harris	L. Miller	Sessions	Winco
Crocheron	Hinkley	Mitchell	Seeley	D. P. Wood
Cumming	Hull	Morris	Sharp	W. H. Wood 75

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for the collection of taxes in the town of Lockport, in the county of Niagara, and State of New-York," coming up for its third reading,

On motion of Mr. D. P. Wood,

Said bill was amended by extending its provisions to the town of Fallsburgh, in the county of Sullivan.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Hull	Nelson	Sterling
Altken	Cumming	Mat. Hutchinson	Noble	Suffern
Bailey	Dawson	Mos. Hutchinson	Odell	Thompson
Baker	A. A. Dunlop	Jenkins	Preston	Underwood
Backus	R. Dunlap	Joy	Richards	Ward
R. J. Baldwin	Edwards	Kinney	Richardson	Whipple
S. Baldwin	Ferguson	Legg	Robertson	White
Barrow	Fiero	Leigh	Rose	Whitman
Barton	Germain	Littlefield	Scott	Wilson
Beers	Gibbs	Maguire	Searing	Wilder
Bennett	Graham	May	Sessions	D. Willis

Bergen	Hall	McGraw	Seeley	J. E. Willis
Boardman	Harpur	McMurray	Sharp	Williams
Brust	Hinckley	Mills	Shoeley	D. P. Wood
Burgess	Holdridge	G. Miller	Speaker	J. S. Wood
Clinton	Hoyle	Mitchell	Stephens	W. H. Wood
Cost				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the appointment of police officers for the town of Newburgh, in the county of Orange," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Ange	Burnett	Graham	Mitchell	Speaker
Aitken	Clinton	Hall	Morris	Sterling
Bailey	Cook	Harpur	Munroe	Suffern
Baker	Collins	Hatch	Noble	Thorn
Backus	Cost	Hoyle	Odell	Townsend
R. J. Baldwin	Crocheron	Mat. Hutchinson	Peters	Whipple
S. Baldwin	Cumming	Mos. Hutchinson	Richards	White
Barrow	Cushman	Jenkins	Robertson	Whitman
Birton	A. A. Dunlop	Joy	Rowland	Wilson
Baucus	R. Dunlap	Legg	Scott	Wilder
Beers	Edwards	Littlejohn	Searing	D. Willis
Bonnett	Ferguson	Magnire	Seasons	Williams
Bergen	Fiero	Martin	Seeley	Winn
Boardman	Freeman	May	Sharp	D. P. Wood
Boyd	German	McGraw	Shoeley	J. S. Wood
Brust	Gleason	McMurray	Sill	W. H. Wood
Burgess	Gott	G. Miller		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Cumming,

The motion to reconsider the final vote on the Senate bill entitled "An act providing for the appointment of an addition number of notaries public and commissioners of deeds in the city of New-York," was taken from the table.

Mr. Cumming moved the adoption of the motion to reconsider.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cumming, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Gleason	McGraw	Sill
Aitken	Cook	Gott	McMurray	Speaker
Bailey	Cost	Graham	Mills	Sterling
Baker	Crocheron	Hall	G. Miller	Suffern
Bachus	Cumming	Harris	Munroe	Ward
E. J. Baldwin	Cushman	Hinkley	Noble	Whito
S. Baldwin	Dawson	Hoyle	Peters	Whitman
Barrow	Dewey	Mat. Hutchinson	Richards	Wilder
Barton	A. A. Dunlop	Mos. Hutchinson	Richardson	D. Willis
Baucus	R. Dunlap	Joy	Scott	J. E. Willis
Beers	Edwards	Kinney	Searing	Winne
Bennett	Fiero	Kirkland	Sessions	D. P. Wood
Bergen	Freeman	Legg	Seeley	J. S. Wood
Boardman	Germain	Maguire	Sharp	W. H. Wood
Brust	Gibbs	May	Sheeley	74

The aforesaid bill coming up for its third reading,

On motion of Mr. Bergen, and by unanimous consent,

Said bill was amended by inserting in the enacting clause the words "by and with the consent of the Senate."

Said bill was then a read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Hinkley	Mitchell	Sill
Aitken	Cumming	Holdridge	Munroe	Speaker
Bailey	Dewey	Mat. Hutchinson	Nelson	Sterling
Bachus	A. A. Dunlop	Mos. Hutchinson	Noble	Suffern
E. J. Baldwin	R. Dunlap	Jenkins	Odell	Thorn
S. Baldwin	Edwards	Joy	Peters	Townsend
Barrow	Fiero	Kinney	Richards	Ward
Barton	Freeman	Littlefield	Robertson	Wilder
Baucus	Germain	Maguire	Scott	D. Willis
Bergen	Gleason	Martin	Searing	Winne
Boardman	Graham	McGraw	Sessions	D. P. Wood
Burgess	Hall	McMurray	Seeley	J. S. Wood
Burnett	Harris	G. Miller	Sharp	W. H. Wood
Cook				66

For the negative,

Kirkland

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the clerk of the county of Cayuga to record certain deeds filed in his office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assem-

bly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	McMurray	Speaker
Bailey	Collins	Hatch	Mills	Stephens
Baker	Crocheron	Hinkley	Mitchell	Sterling
Backus	Cumming	Holdridge	Munroe	Suffern
R. J. Baldwin	Cushman	Hoyle	Nelson	Thorn
S. Baldwin	Dawson	Mat. Hutchinson	Odell	Townsend
Barrow	Dewey	Mos. Hutchinson	Peters	Ward
Barton	A. A. Dunlop	Jenkins	Randall	White
Baucus	R. Dunlap	Joy	Richards	Whitman
Beers	Edwards	Kinney	Richardson	Wilson
Bennett	Ferguson	Kirkland	Robertson	Wilder
Bergen	Fiero	Legg	Rowland	D. Willis
Boardman	Freeman	Leigh	Scott	Williams
Boyd	Germain	Littlefield	Sessions	Winne
Brust	Gibbs	Maguire	Seeley	D. P. Wood
Burgess	Gott	Martin	Sharp	J. S. Wood
Cheesebro	Graham	May	Sheeley	W. H. Wood
Clinton	Hall	McGraw		88

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act for the relief of assessors for enrolling the militia in the year 1852,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cheesebro	Gott	May	Snell
Aitken	Cook	Graham	McGraw	Speaker
Bailey	Collins	Hall	McMurray	Stephens
Baker	Cost	Harris	L. Miller	Sterling
Backus	Crocheron	Hinkley	S. F. Miller	Thorn
R. J. Baldwin	Cumming	Holdridge	Mitchell	Townsend
S. Baldwin	Cushman	Hoyle	Nelson	Underwood
Barrow	Dawson	Hull	Noble	Ward
Barton	Dewey	Mos. Hutchinson	Odell	Wilson
Baucus	A. A. Dunlop	Jenkins	Richardson	D. Willis
Beers	Edwards	Joy	Robertson	J. E. Willis
Bennett	Ferguson	Kirkland	Scott	Williams
Bergen	Fiero	Legg	Searing	Winne
Boyd	Freeman	Leigh	Sessions	D. P. Wood
Brust	Germain	Littlefield	Sharp	J. S. Wood
Burgess	Gibbs	Maguire	Sheeley	W. H. Wood
Burnett	Gleason			82

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Mohawk and Newport plank road company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Anglo	Crocheron	Hinkley	Mitchell	Stephens
Aitken	Cumming	Holdridge	Nelson	Sterling
Bailey	Cushman	Hoyle	Noble	Suffern
Baker	Dawson	Mat. Hutchinson	Odell	Townsend
S. Baldwin	Dewey	Mos. Hutchinson	Peters	Underwood
Barrow	A. A. Dunlop	Jenkins	Randall	Ward
Barton	Edwards	Joy	Richards	White
Baucus	Ferguson	Kinney	Richardson	Whitman
Beers	Fiero	Kirkland	Robertson	Wilson
Bennett	Freeman	Legg	Rowland	Wilder
Bergen	Germain	Leigh	Scott	D. Willis
Boyd	Gibbs	Littlefield	Searing	J. E. Willis
Brust	Gleason	Maguire	Sessions	Williams
Burgess	Graham	Martin	Seeley	Winne
Cook	Hall	May	Sharp	D. P. Wood
Collins	Harris	McGraw	Sheeley	J. S. Wood
Cost	Hatch	Mills	Speaker	W.H. Wood 85

For the negative,

Munroe

1

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans, to resurvey part of a certain State road in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Anglo	Cumming	Holdridge	G. Miller	Speaker
Aitken	Cushman	Hoyle	Munroe	Stephens
Bailey	Dawson	Hull	Nelson	Sterling
Backus	A. A. Dunlop	Mat. Hutchinson	Noble	Suffern
S. Baldwin	Edwards	Mos. Hutchinson	Odell	Townsend
Barrow	Ferguson	Jenkins	Payne	Underwood
Baucus	Fiero	Kinney	Peters	Ward
Bennett	Freeman	Kirkland	Randall	Wilson

Bergen	Germain	Legg	Richardson	Wilder
Brust	Gibbs	Leigh	Robertson	D. Willis
Burgess	Gleason	Littlefield	Scott	J. E. Willis
Chesbro	Graham	Magnire	Searing	Winne
Cook	Hall	May	Sessions	D. P. Wood
Collins	Harris	McGraw	Seeley	J. S. Wood
Cost	Hatch	McMurray	Sharp	W. H. Wood
Crocheron	Hinkley	Mills		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act declaring Salmon river a public highway," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Collins	Holdridge	G. Miller	Speaker
Bailey	Cost	Hollenbeck	L. Miller	Stephens
Baker	Crocheron	Hoyle	Mitchell	Sterling
Backus	Cushman	Mat. Hutchinson	Munroe	Suffern
R. J. Baldwin	Dawson	Mos. Hutchinson	Nelson	Townsend
S. Baldwin	R. Dunlap	Joy	Noble	Underwood
Barrow	Edwards	Kinney	Odell	Weed
Bancus	Ferguson	Kirkland	Peters	Whitman
Beers	Germain	Legg	Richards	Wilson
Bennett	Gibbs	Leigh	Robertson	D. Willis
Bergen	Gleason	Littlefield	Rowland	Wilder
Boardman	Gott	Magnire	Searing	J. E. Willis
Boyd	Graham	Martin	Sessions	Winne
Brust	Hall	McGraw	Seeley	D. P. Wood
Burgess	Harris	McMurray	Sharp	J. S. Wood
Burnett	Hatch	Mills	Seeley	W. H. Wood
Cook	Hinkley			

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the education of the children of the Oneida Indians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Cushman	Hollenbeck	Mitchell	Speaker
Altken	Dawson	Hoyle	Munroe	Stephens
Baker	Dewey	Hull	Nelson	Sterling

R. J. Baldwin	R. Dunnlap	Mat. Hutchinson	Noble	Suffern
S. Baldwin	Edwards	Mos. Hutchinson	Odell	Townsend
Barrow	Ferguson	Jenkins	Payne	Underwood
Baucus	Freeman	Kirkland	Peters	Ward
Beers	Germain	Legg	Richards	Weed
Bennett	Gibbs	Leigh	Richardson	Whitman
Bergen	Gott	Littlefield	Robertson	Wilson
Boardman	Graham	Maguire	Rose	D. Willis
Brust	Hall	May	Searing	J. E. Willis
Burgess	Harris	McGraw	Sessions	Winne
Caso	Hatch	McMurray	Seeley	D. P. Wood
Cook	Hinkley	Mills	Sharp	J. S. Wood
Crocheron	Holdridge	L. Miller	Sill	W. H. Wood
Cumming				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sessions, from the committee on ways and means, asked and obtained leave to introduce a bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the 1st day of October, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The bill entitled "An act to provide for the education of the children of the Onondaga Indians, in the county of Onondaga, in this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Barnett	Hall	McMurray	Speaker
Altken	Cook	Harris	Mills	Stephens
Bailey	Collins	Hinkley	G. Miller	Sterling
Baker	Cost	Hollenbeck	L. Miller	Suffern
Backus	Crocheron	Hoyle	Mitchell	Thorn
R. J. Baldwin	Cumming	Hull	Munroe	Townsend
S. Baldwin	Dawson	Mat. Hutchinson	Noble	Underwood
Barrow	R. Dunnlap	Mos. Hutchinson	Odell	Weed
Baucus	Edwards	Joy	Peters	White
Beers	Ferguson	Kinney	Richards	Whitman
Bennett	Freeman	Kirkland	Robertson	Wilson
Bergen	Germain	Leigh	Rowland	D. Willis
Boardman	Gibbs	Littlefield	Searing	J. E. Willis
Boyd	Graham	Maguire	Sessions	Winne
Brust	Gott	May	Seeley	D. P. Wood
Burgess	Graham	McGraw	Sharp	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the assessment of fifty per cent on the amount subscribed to the capital stock of the Genesee

river plank road company, for the payment of the debts of said company, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	McMurray	Sill
Aiken	Cost	Hollenbeck	L. Miller	Speaker
Bailey	Cumming	Howell	Mitchell	Stephens
Baker	Cushman	Hoyle	Munroo	Sterling
S. Baldwin	Dawson	Hull	Nelson	Suffern
Barrow	R. Dunlap	Mat. Hutchinson	Noble	Underwood
Barton	Edwards	Mos. Hutchinson	Odell	Weed
Baucus	Ferguson	Joy	Richards	Wilson
Beers	Freeman	Kinney	Richardson	D. Willis
Bennett	Germain	Kirkland	Robertson	J. E. Willis
Bergen	Gleason	Leigh	Rose	Winne
Boardman	Graham	Littlefield	Rowland	D. P. Wood
Boyd	Hall	Maguire	Searing	J. S. Wood
Brust	Hatch	May	Seeley	W. H. Wood
Burgess	Hinkley	McGraw	Sharp	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the town of Sherburne to borrow money to aid in the construction of a railroad through said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 09 }

Those who voted in the affirmative are,

Aitken	Cook	Hall	Mills	Sterling
Bailey	Collins	Harris	G. Miller	Thorn
Baker	Crocheron	Hatch	L. Miller	Townsend
Backus	Cumming	Hinkley	Mitchell	Underwood
R. J. Baldwin	Cushman	Howell	Noble	Ward
Barrow	Dawson	Hull	Richards	Weed
Barton	Dewey	Mos. Hutchinson	Robertson	White
Baucus	R. Dunlap	Kinney	Rose	Whitman
Beers	Edwards	Kirkland	Rowland	Wilson
Bennett	Ferguson	Legg	Scott	Wilder
Bergen	Fiero	Leigh	Seeley	J. E. Willis
Boardman	Freeman	Maguire	Sheeley	Winne
Boyd	Germain	Martin	Sill	D. P. Wood
Brust	Gibbs	May	Speaker	J. S. Wood
Burgess	Gleason	McGraw	Stephens	W. H. Wood
Burnett	Graham	McMurray		

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Those who voted in the negative are,

Angle	Gott	Mat. Hutchinson	Munroe	Suffern
S. Baldwin	Hollenbeck	Joy	Richardson	9

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled as follows :

"An act to defray the expense of printing ballots for the extra election."

"An act for the relief of the Poughkeepsie and Salt Point plank road company."

Ordered, That the Clerk deliver said bills to the Governor.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

On motion of Mr. Burgess and by unanimous consent,

Resolved, That the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847," so far as relates to the village of Ilion, in the county of Herkimer, be recommitted to a select committee consisting of the Herkimer delegation, for amendment, with power to report the same complete forthwith.

On motion of Mr. Graham, and by unanimous consent,

Resolved, That Assembly bill No. 316, being "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New-York,'" be taken from the general orders, and referred to a select committee to report complete.

Mr. Speaker announced as such select committee, Messrs. Graham, Leigh and Germain.

Mr. Randall presented the petition of tax payers of part of the town of Newfield, against being taxed for building a court house in the county of Tompkins, having been set off to the county of Chemung, to take effect January 1, 1856, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Robertson presented several petitions of many of the inhabitants of the county of Greene, praying for a law to allow tare on all cotton sold in bales in the State of New-York, which were read and committed to the committee of the whole, when on the bill on that subject.

Mr. Harris presented the remonstrance of officers and members of the 54th regiment, against the repeal of the military commutation tax, which was read and committed to the committee of the whole, when on the bill on that subject.

By unanimous consent,

Mr. Graham gave notice that he would, at an early day, ask leave to introduce a bill to license boatmen in the city of New-York.

On motion of Mr. Cook, and by unanimous consent,
The special order was suspended for fifteen minutes.

Mr. Randall, from the committee on railroads, to which was referred the petition of citizens of Oxford, Chemung county, praying for the passage of an act to authorise the town of Oxford to aid in the construction of the Binghamton and Utica railroad, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the town of Oxford to borrow money to aid in the construction of a railroad through said town," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burgess, from the select committee, to which was recommended the bill entitled "An act to amend an act to provide for the incorporation of villages, passed December 7, 1847," so far as relates to the village of Ilion, in the county of Herkimer," to report complete, reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Barrow, from the committee on claims, to which was referred the petition of Mathew Staring, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Mathew Staring," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Mills, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of the village of Port Jervis, praying for an act to enable them to hold an election to choose village officers, reported and asked and obtained leave to bring in a bill entitled "An act to authorise the village of Port Jervis to hold an election to choose its charter officers," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on privileges and elections, to which was referred the petition of the board of county canvassers of the county of Delaware, praying that the law may be so amended as to allow the votes to be canvassed at an earlier day after an election than the day now prescribed by law, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Cook, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the counties of Chemung, Steuben and Tompkins, praying for a new county from parts of the above named counties, reported in writing, and asked and obtained leave to bring in a bill entitled "An act to erect the county of Webster, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Freeman, from the select committee, to which was referred the bill entitled "An act in relation to excise money in the county of Orleans," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. W. H. Wood asked and obtained leave to introduce a bill entitled "An act to legalise the election of the trustees and other village officers of the village of Ellicotville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. W. H. Wood, and by unanimous consent,

The judiciary committee was empowered to report the above bill complete.

Mr. Speaker presented a communication from the Canal Appraisers in answer to a resolution of this House referring the claim papers of Joel White to said Appraisers, and asking what action had been had on them by said board.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act amending an act entitled 'An act incorporating the village of Sag Harbor,' passed March 26, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act creating the office of Superintendent of Common Schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

"An act in relation to the Union free school, in Hamilton, Madison county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

"An act relative to toll gates on the Dernyter plank road," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on roads and bridges.

"An act to amend the Revised Statutes, relating to the sale of drugs and medicines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

"An act entitled 'An act to amend an act entitled 'An act organising and establishing a recorder's court in the city of Buffalo, and for other purposes,' passed April 20, 1839," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the Lyons and Galena plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act authorising the election of trustees and other officers of the village of Fonda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act authorising the copies and certificates of association of banks to be transferred from the Secretary's office to the banking department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the payment of the balance due and unpaid upon award made by William H. Adams, Charles Pardee and Abraham Bookee in favor of Horace Hotchkiss and William P. Smith against Alfred R. Booth, late agent of the Sing Sing State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to provide for the payment of a judgment rendered in the supreme court of this State in favor of Horace Hotchkiss and William P. Smith against Munson J. Lockwood, agent of the Sing Sing prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker announced the business in order the special order, it being the consideration of the Senate bill entitled "An act to promote medical science."

The House then resolved itself into a committee of the whole thereon.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bailey, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Clinton moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the motion to discharge the committee of the whole, and it was determined in the affirmative.

Mr. Richards moved the previous question, being upon reference of said bill.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree upon referring said bill to a select committee, and it was determined in the affirmative.

On motion of Mr. Aitken,

At ten minutes past 6 p. m., the House adjourned.

THURSDAY, MARCH 16, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Post.

The minutes of yesterday were read and approved.

By unanimous consent,

Mr. Clinton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the use of this chamber be granted to Dr. D. Francis Bacon, of the city of New-York, on Tuesday and Thursday evenings of next week, for the purpose of addressing the members of this Legislature on the subject of the growth, greatness and relative power of the city and State of New-York.

Ordered, That said resolution be laid on the table.

Mr. Speaker announced general orders the business in order.

On motion of Mr. Peters,

This order of business was laid upon the table until 1 o'clock, p. m.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the examination of witnesses," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the petition of Stephen Dennis, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of Stephen Dennis"

which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the select committee to which was referred the Senate bill entitled "An act to provide for the punishment of assaults with dangerous weapons," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Charles Cook, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act authorising the appraisal of canal damages to Chas. Cook, on the line of the Chemung canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the petition of Henry Satterly, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act to satisfy the claim of Henry Satterly, a soldier of the revolution to bounty land," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Senate was received and read, informing that they had passed, without amendment, the resolution authorising the printing of 10,000 extra copies of the annual report of the Comptroller, for the use of the Legislature.

A message from the Senate was received and read, requesting that the petition and papers relating to the claim of John Merrell for relief, be taken from its files and transmitted to the Senate.

Mr. Fiero, from the select committee to which was referred the bill entitled "An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Collins, from the select committee, to which was referred the bill entitled "An act to authorise Charles D. Adams to sell and convey the real estate of George Hobsiger, a convict now imprisoned in the State prison at Auburn, under and by virtue of a power of attorney from said Hobsiger," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Thorn, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act in relation to common schools in the village of Lockport,' passed March 31, 1847,' passed March 18, 1850,'" reported, that

the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act to confirm certain acts of the common council of the city of Oswego, in relation to the building of a pier in the west harbor of said city," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

Mr. Sessions, from the committee on ways and means, asked and obtained leave to introduce a bill entitled "An act to appoint commissioners to investigate and examine into the pecuniary affairs and condition of the several State prisons of this State, and report thereon, and also such laws as they may deem proper for the better regulation and discipline of the same, to the Legislature of this state," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Leigh, from the select committee, to which was referred the bill entitled "An act to amend an act to create a fund in aid of the society for the reformation of juvenile delinquents in the city of New-York, and for other purposes," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Gleason, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to nonresident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton,' passed June 8, 1858," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Fiero, from the select committee to which was referred the bill entitled "An act to extend the time for paying in the capital stock of the Hoffman Grove association, located at Elmira," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Joy, from the select committee to which was referred the Senate bill entitled "An act to settle the boundary line between Niram Sackett and the lands of the Seneca Indians," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act in relation to plank roads and turnpike roads," reported that the committee had ex-

amined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

On motion of Mr. Weed, and by unanimous consent,

Said bill was ordered to a third reading.

Mr. Hull, from the committee on medical societies and colleges, to which was referred the Senate bill entitled "An act to incorporate the Clifton Springs water cure company," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bennett, from the select committee, to which was referred the Senate bill entitled "An act to provide for raising moneys upon the town of Lyons, to rebuild a bridge therein," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Whipple, from the select committee to which was referred the bill entitled "An act for the relief of John Dillenbeck," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Willis, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the Cypress Hills cemetery,' passed February 14, 1849," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee to which was referred the bill entitled "An act further to amend an act entitled 'An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung and the town of Newburgh, in the county of Orange,' to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act for the better regulation of the firemen in the city of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cushman, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorise the election of a police justice in the town of Newburgh,' passed March 2, 1850,' passed April 16, 1852," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. L. Miller, from the select committee to which was referred the bill entitled "An act to legalise the official acts of Warren H. Wright, as justice of the peace," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Dawson, from the select committee to which was referred the bill entitled "An act declaring the west branch of the St. Regis river a public highway, and for regulating the passage of logs and lumber down the same," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. Baldwin, from the select committee to which was referred the bill entitled "An act to amend the charter of the village of Meddington, in the county of St. Lawrence," to report complete reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Harpur, from the select committee to which was referred the bill entitled "An act in relation to the Utica and Binghamton railroad company, empowering it to apply for appraisal of land on complying with certain conditions," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. A. Dunlop, from the select committee to which was referred the bill entitled "An act to prevent the reissue of the circulating notes of banks whose charters have expired," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to and reducing the several acts relating to the district courts in the city of New-York into one act," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the select committee to which was referred the bill entitled "An act to enable the Myrtle avenue and Jamaica plank road company, to borrow money and locate toll gates," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Williams, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the inhabitants of the town of Malone to borrow money for the purposes of widening and improving the bridge over Salmon river, in the village of said town,' passed March 1, 1852,"

to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the petition of pilots of the port of New-York, asking for an amendment of the pilot law, reported, and asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage at the port of New-York,' passed June 28, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. G. Miller, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens, in the county of Greene," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Thorn, and by unanimous consent,

Resolved, That the bill to amend the act in relation to common schools in Lockport, be ordered to a third reading.

On motion of Mr. Boardman, and by unanimous consent,

The bill to provide for the draining of Rome swamp, was referred to a select committee to report complete.

Mr. Speaker announced as such committee, the Oneida delegation.

On motion of Mr. Gleason, and by unanimous consent,

The bill to amend an act entitled "An act to amend an act in relation to plank roads, passed June 30, 1853," was referred to a select committee to report complete.

Mr. Speaker announced as such committee, Messrs. Gleason, Hull and Baker.

On motion of Mr. G. Miller, and by unanimous consent,

The bill to authorise the board of supervisors of Suffolk county to change the site of the court house and jail in said county, and for other purposes, was ordered to a third reading.

On motion of Mr. Williams, and by unanimous consent,

The bill to authorise the Bath and Hammondsport plank road company to abandon a part of their road, was referred to a select committee, consisting of the Steuben county delegation, to report complete.

By unanimous consent,

Mr. W. H. Wood presented a resolution of citizens of Machias, Cattaraugus county, asking the passage of a law authorising certain towns to take stock in the Buffalo and Pittsburgh railroad, which was read and referred to the committee on railroads.

By unanimous consent,

Mr. W. H. Wood presented a resolution of citizens of Ellicottville, for the same, which was read and referred to the committee on railroads.

On motion of Mr. Mills, and by unanimous consent,

The bill entitled "An act to authorise the village of Port Jervis to hold an election to choose its charter officers," was ordered to a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act revising, amending and consolidating the several acts in relation to the village of Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Speaker announced as the committee on the bill to promote medical science, Messrs. Edwards, Joy, Clinton, Littlejohn and Sessions.

On motion of Mr. Payne, and by unanimous consent,

Leave of absence was granted him until next Tuesday.

Mr. Payne on his own motion, was excused from serving on the committee to which was referred the bill entitled "An act relative to the expenses of boards of health."

Mr. Speaker announced the appointment of Mr. D. Willis on said committee, in the place vacated by Mr. Payne.

Mr. Payne on his own motion, was also excused from serving on the select committee to which was referred the bill entitled "An act to permit the Sacketts Harbor and Saratoga railroad co. to lay out a portion of their road through the counties of Essex and Warren."

Mr. Speaker announced the appointment of Mr. Moseley Hutchinson thereon, in Mr. Payne's stead.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in answer to a resolution asking for a statement of awards and allowances made by the Canal Board.

Also a communication from the same, in obedience to the requirements of several acts passed in 1853, relative to the alleged damages occasioned by the overflow of water and ice of the Canajoharie creek.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, with amendments, to the bill entitled as follows:

"An act to divide the sixth judicial district of the city of New-York."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cheesebro	Holdridge	Mitchell	Sharp
Aitken	Clinton	Hoyle	Morris	Sheeley
Bailey	Cook	Mat. Hutchinson	Munroe	Stephens
Baker	Crocheron	Jenkins	Nelson	Sterling
S. Baldwin	Cumming	Joy	Noble	Suffern
Barton	Cushman	Kinney	Odell	Thorn
Baucus	Dawson	Kirkland	Palmer	Thompson
Beers	A. A. Dunlop	Legg	Peters	Underwood
Benedict	E. Dunlap	Leigh	Richardson	Ward
Bennett	Edwards	Littlejohn	Robertson	Weed
Bergen	Freeman	Maguire	Ross	Whipple
Boardman	Germala	Mather	Rowland	Wikler
Boyd	Gibbs	May	Scott	J. E. Willis
Brust	Gott	McGraw	Searing	Winne
Burgess	Hall	McMurray	Sessions	D. P. Wood
Barnett	Harpur	Mills	Seeley	W. H. Wood
Case	Hinckley	G. Miller		83.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendment therewith delivered, the bill entitled as follows :

“An act to amend the charter of the Protestant Episcopal church missionary society for seamen, in the city and port of New-York.”

Mr. Ward moved that the amendment of the Senate be concurred in.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Dawson	Howell	McMurray	Stephens
Baker	A. A. Dunlop	Hull	Munroe	Sterling
S. Baldwin	E. Dunlap	Mat. Hutchinson	Nelson	Suffern
Barton	Edwards	Jenkins	Noble	Thompson
Baucus	Fiero	Joy	Palmer	Thorn
Benedict	Germala	Kinney	Peters	Townsend
Bergen	Gibbs	Leigh	Richardson	Ward
Boyd	Gleason	Littlefield	Robertson	Weed
Burgess	Gott	Littlejohn	Ross	Whitman
Case	Hall	Maguire	Scott	Wilson
Cheesebro	Harpur	Mallory	Searing	J. E. Willis
Cook	Harris	Mather	Sharp	Winne
Crocheron	Hatch	May	Sheeley	Williams
Cumming	Hinckley	McGraw	Speaker	W. H. Wood
Cushman				71

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendment, and amended the same accordingly.

A message from the Senate was received and read, informing that that they had non-concurred in the bill entitled as follows:

"An act to amend art. 5, title 3, chap. 7 of the Revised Statutes entitled 'Of proceedings to perpetuate testimony.'"

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of Croton water, in the city and county of New-York,' passed July 20, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Cumming, and by unanimous consent,

The aforesaid committee was empowered to report the same complete.

"An act authorising the Comptroller to loan money from the common school fund to the county of Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to authorise the laying out, opening and working of a public highway in the village of Canandaigua, Ontario county, and raising money to defray the expense of working said highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to confirm the annual election in the village of Baldwinsville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	R. Dunlap	Mat. Hutchinson	Munroe	Sterling
Bailey	Edwards	Mos. Hutchinson	Nelson	Suffern
S. Baldwin	Fiero	Jenkins	Noble	Thompson
Beers	Freeman	Kinney	Odell	Thorn
Benedict	Germain	Kirkland	Palmer	Townsend
Bennett	Gleason	Legg	Richardson	Underwood
Bergen	Gorham	Leigh	Robertson	Ward
Boardman	Gott	Littlefield	Scott	Weed
Boyd	Hall	Maguire	Searing	Wilson
Brust	Harpur	Mallory	Sessions	Wilder
Burgess	Harris	Mather	Sharp	J. E. Willis
Crocheton	Hatch	Martin	Sheeley	Williams

Gunning
Cushman
Dawson
A. A. Danlop

Hinkley
Hollenbeck
Howell
Hull

May
McGraw
Mills
Mitchell

SHL
Speaker
Stephen

Winne
D. P. Wood
W. H. Wood

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sessions, from the select committee, to which was referred the bill entitled "An act for the suppression of intemperance," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Mr. Mallory, from the minority of the select committee to which was referred the Senate bill entitled "An act for the suppression of intemperance," reported in writing, and asked and obtained leave to bring in a bill entitled "An act to suppress intemperance, and to regulate the sale of intoxicating liquors for certain purposes."

Mr. Leigh moved that the Senate bill entitled "An act for the suppression of intemperance," be recommitted to the special committee, with instructions to report said bill as it came from the Senate, forthwith.

On motion of Mr. Peters,

Said motion was made the special order for Friday, the 17th instant, at half-past three o'clock, p. m.

On motion of Mr. R. J. Baldwin,

Said bill was ordered to be printed, in pamphlet form, immediately.

Mr. Speaker announced general orders the business in order.

On motion of Mr. Ward, and by unanimous consent,

That order was laid upon the table until recess.

On motion of Mr. Peters, and by unanimous consent,

Resolved, That the committee on colleges, academies and common schools report on the bill in relation to unclaimed dividends and deposits, for the consideration of the House, on the 17th inst.

On motion of Mr. Bergen, and by unanimous consent,

Resolved, That the bill providing for the opening, grading and paving Division avenue, be referred back to the special committee for amendment.

By unanimous consent,

Mr. Weed offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That 2,000 extra copies of the Auditor of the Canal Department reports sent in to-day, as to the amount of damages paid to contractors, be printed for the members of this House.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to allow the first Presbyterian society of the town of Woodhull to sell their gospel lot.

By unanimous consent,

Mr. D. P. Wood presented the petition of Jane Ann Allen for relief, which was read and referred to the committee on claims.

By unanimous consent,

Mr. Mather presented the petition in favor of the gradual withdrawing of the circulating notes of the expired and expiring safety fund banks, which was read and laid on the table.

By unanimous consent,

Mr. Mather presented the petition in favor of the passage of the bill as reported by the committee on banks, in relation to the circulation of expired and expiring safety fund banks, which was read and laid on the table.

By unanimous consent,

Mr. Searing presented the petition of Stephen B. Masters for the right to lay a double railroad track over the Williamsburgh and Jamaica turnpike road, in the counties of Kings and Queens, which was read and referred to the committee on railroads.

By unanimous consent,

Mr. May presented the petition of the inhabitants of the village of Friendship, Allegany county, for an act authorising William H. King, supervisor, to sell all the rights of the town of Friendship in a certain lot of land bought for burying ground purposes, also to buy other lands, &c., which was read and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Mr. Searing presented the petition and memorial of the supervisors of Queens county, for an alteration of the rural cemetery law, which were read and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Case presented the remonstrance of 166 voters of the town of Augusta, Oneida county, against allowing towns on the line of the Utica and Binghamton railroad to take stock in said road, which was read and committed to the committee of the whole, when on the bill on that subject.

By unanimous consent,

Mr. Searing presented the remonstrance of the inhabitants of the town of Newtown, against the manner in which interments are made in Calvary cemetery, in Queens county, which was read and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Case presented the remonstrance of the town of Bridgewater against allowing the Bridgewater and Utica plank road company to abandon a part of their road, which were read and commit-

ted to the committee of the whole, when on the bill on that subject.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Benedict, from the select committee to which was referred the bill entitled "An act to amend the charter of the Granite insurance company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Barrow, from the committee on claims, to which was referred the petition of Abel Shute, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Abel Shute," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Barrow, from the committee on claims, to which was referred the petition of John E. Westlake, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of John E. Westlake," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Barrow, from the committee on claims, to which was referred the petition of Darius Bentley, praying for relief, reported in writing, and asked and obtained leave to bring in a bill entitled "An act for the relief of Darius Bentley," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Rose, from the committee on Indian affairs, to which was referred the bill entitled "An act to provide for the establishment of Indian schools upon the Cattaraugus and Allegany reservations, in this State, for the instruction of Indian children," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Hatch gave notice that he would at an early day ask leave to introduce a bill to incorporate the Lansingburgh Female Academy.

By unanimous consent,

Mr. D. Willis presented 46 remonstrances against the bill entitled "An act to regulate the delivery of merchandise, &c., on the wharves, piers and slips of the city of New-York and county of Kings," which were read and committed to the committee of the whole when on the bill on that subject.

By unanimous consent,

Mr. Brust asked and obtained leave to introduce a bill entitled "An act in relation to building bridges on private roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill, entitled "An act to enable the children of Robert Borell, and Sarah, his wife, to take and hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

By unanimous consent,

Mr. Savage asked and obtained leave to introduce a bill, entitled "An act to amend an act entitled 'An act establishing free schools throughout the State,' passed March 26, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

By unanimous consent,

Mr. Randall asked and obtained leave to introduce a bill entitled "An act to confirm the acts of the commissioners appointed to preside over the election of town officers in the organization of the town of Horseheads," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Randall, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Speaker announced the business in order, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to improve the Grass river in St. Lawrence county, for floating timber and saw logs."

"An act declaring Oswegatchie river a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said river."

"An act declaring a part of West Canada creek, and its branches, a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said streams."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Case, from said committee, reported, that the

committee had gone through said bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act for the relief of John C. Van Alstine."

"An act for the relief of Richard Niles."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Seeley, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment.

Mr. Benedict moved to amend by striking out of the first section, after the word "canal," in the ninth line, the words "or by the said culvert being permitted to become and remain clogged with gravel, sand, or other accumulation."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of the whole, as amended, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Seeley, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act authorising the Canal Board to hear and determine the claim of Allen W. Horton, for damages sustained by him in the sinking of the canal boat Helen Adela."

"An act authorising the Canal Board to examine the claim of George W. Willard, for damages caused by the construction of the Genesee Valley canal, and award him payment therefor."

"An act for the relief of Moses W. Lester."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. Willis, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. D. Willis, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. Willis, from said committee, reported that the committee had gone through said last mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Lozier, from the select committee to which was referred the bill entitled "An act to authorise the sales of real estate to be published in Assembly districts," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Lozier, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,'" to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Littlejohn, from the committee on canals, reported a bill entitled "An act prescribing regulations in regard to the management of the canals, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Gleason, and by unanimous consent,

The bill entitled "An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district," was taken from the committee of the whole and referred to a select committee.

Mr. Speaker announced as such select committee Messrs. Gleason, Baker and Hull.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act making appropriation to Clinton State prison."

"An act for the relief of Sally Chamberlain Carr."

"An act for the relief of Leonard Lewis."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Mitchell, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Mitchell, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment.

Mr. Benedict moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Mitchell, from said committee, reported that the committee had gone through said third mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. D. P. Wood, and by unanimous consent, The committee on colleges, academies and common schools, to which was referred the bill entitled "An act to create the office of State Superintendent of Common Schools," was empowered to report the same complete.

On motion of Mr. Lozier,

At half-past six o'clock p. m., the House adjourned.

FRIDAY, MARCH 17, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of yesterday, were read and approved.

On motion of Mr. Cushman, and by unanimous consent, The bill entitled "An act for the better support of the poor of the town of Newburgh, in the county of Orange," was ordered to a third reading.

On motion of Mr. Burnett,

Resolved, That the Comptroller do communicate to the Assembly, at his earliest convenience, all proper information in his possession, or within his reach, upon the matters contained in the petition of the board of supervisors of the county of Clinton, presented to this House to-day, asking for the passage of a law to enable the Comptroller to correct and restate errors of account with said county as to rejected and cancelled taxes.

Mr. Savage presented the petition of citizens of New-York, to have the 22d of February designated as one of the holidays by law, which was read and referred to the committee on banks.

Mr. Odell presented the petition of sundry citizens of the county of Westchester, praying for an increase of fees for constables and jurors attending court in said county, which was read and referred to the committee on the judiciary.

Mr. Odell presented a petition in favor of an increase of wharfage in the city of New-York, from the citizens of Westchester county, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Wood presented the petition of the directors of the Erie and New-York city railroad, for a law to discharge them from a certain judgment against them, which was read and referred to the committee on railroads.

Mr. Rowland presented the petition of the members of the bar of Delaware county, for an amendment of the Code in relation to appeals from justices' court to county courts, which was read and referred to the committee on the judiciary.

Mr. Wood presented two petitions of citizens of Schoharie co., in favor of the bill relating to safety fund banks, which were read and laid upon the table.

Mr. Barton presented a petition on the same subject, which was read and laid upon the table.

Mr. Edwards presented the petition of the Troy Orphan Asylum, for aid from the State, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Leigh presented 80 remonstrances of merchants and business men of New-York, against the wharfage bill, which was read and referred to the committee on commerce and navigation.

Mr. Williams presented the petition of 62 citizens of Tyrone, Steuben county, against the formation of a new county out of Steuben, Chemung and Tompkins counties, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Jay presented the remonstrance of citizens of the town of Lansing, against erecting a county in part from the county of Tompkins, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Benedict presented a resolution of the town of Camden, Oneida county, in relation to boards of health, which was read and laid upon the table.

Mr. Bergen presented the petition of Henry Storres and Brig. Gen. Duryea, and others, for a military parade ground at East New-York, which was read and referred to the committee on the militia and public defence.

Mr. Leigh presented a petition for a free church law, which was read and referred to the committee on charitable and religious societies.

Mr. Hoyle presented the petition of the board of supervisors of the county of Clinton, for the passage of a law to enable the Comptroller to correct and restate errors of account with said county as to rejected and cancelled taxes, which was read and referred to the committee on the judiciary.

Mr. Peters presented the petition of C. H. Marshall and others, of New-York, asking for a repeal of the law appointing physician for marine hospital, which was read and referred to the select committee having in charge the bill on that subject.

Mr. Mallory presented the petition of Nathan A. Hawes, and 346 others, of the towns of Carmel, Southeast and Kent, in the county of Putnam, praying for a public highway in said county, which was read and referred to the committee on roads and bridges.

Mr. Savage presented two petition of the citizens of New-York, to reduce the size of Central Park, which were read and committed to the committee of the whole when on the bill on that subject.

Mr. Mather presented the petition of the inhabitants of the town of New Lisbon, praying the Legislature to authorise them to hold a special town meeting, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Edwards presented the petition of Nathan B. Warren and other citizens of Troy, for a free church law, which was read and referred to the committee on charitable and religious societies.

Mr. Savage presented the petition of citizens of New-York, relating to the suit between C. Kierstead and others against the corporation of the Protestant Episcopal church, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Willis presented a petition on the same subject, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act for the relief of Lancaster School Society, of Poughkeepsie," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the Senate bill entitled "An act to establish free schools in the village of Sing Sing," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend the several acts in relation to the common schools of the city of Utica," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend an act entitled 'An act establishing free schools throughout the State,'" reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from a majority of the committee on roads and bridges, to which was referred the petition of citizens of Dutchess county, praying for a repeal of an act authorising a gate on the Dutchess turnpike, reported, and asked and obtained leave to bring in a bill entitled "An act to repeal chapters 202 and 459 of the

Session Laws of 1853, in relation to the Dutchess turnpike company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sterling, and by unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of 260 freeholders and inhabitants of the town of Greenburgh, Westchester county, praying for an amendment of the law for opening highways in said town, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the Revised Statutes relating to the laying out highways in the town of Greenburgh," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Odell,

Ordered, That said bill do have its third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the Senate bill entitled "An act creating the office of State Superintendent of Common Schools," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers' dwellings within this State, and relinquishing title to Little Island in the Hudson river," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act to enable Elizabeth Turpin to take and hold real estate," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wilder, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Hebrew Female Benevolent Society of the congregation Shearith Israel, in the city of New-York," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to repeal an act entitled 'An act establishing the Central Park in the city of New-York,'" reported that the committee had had said bill

under consideration, and come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Jenkins, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend and confirm the 8th section of the charter of the village of Morrisville, passed April 12, 1851," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act to enable the children of Robert Borell and Sarah his wife to take and hold real estate," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, reported a bill entitled "An act to provide for the payment of the balance due for copies of Webster's Dictionary, purchased under chapter 449 of the Laws of 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to increase the common school fund and to provide for a more elevated system of free education," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. R. J. Baldwin,

Said bill was made a special order for Friday of next week.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows :

"An act to incorporate the tract society of the Methodist Episcopal church," to Messrs. Leigh, S. F. Miller and Rowland.

"An act to change the name of Henry More," to Messrs. Martin, Kinney and Gott.

"An act authorising highway labor to be expended on the Half Moon and Clifton plank road, in the county of Saratoga," to Messrs. Nelson, Baucus and R. Dunlap.

"An act to regulate the tare on raw cotton sold in bales," to Messrs. Harris, A. A. Dunlop and Robertson.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State, to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," to Messrs. Moseley Hutchinson, Crocheron and Baker.

"An act in relation to the collection of debts due the State on lost paper and evidences of debt," to Messrs. Sessions, W. H. Wood and Sharpe.

"An act to allow the Brownville female seminary to sell their property," to Messrs. Dewey, Littlefield and J. E. Willis.

The Senate bill entitled "An act to incorporate Niagara savings bank," to Messrs. R. Dunlap, Wilson and Jenkins.

The Senate bill entitled "An act relating to the county superintendents of the poor," to Messrs. McMurray, Peters and Dawson.

The Senate bill entitled "An act to amend the charter of the village of Saratoga Springs," to Messrs. Baucus, Nelson and Bergen.

"An act for the relief of the taxable inhabitants of the town of Corinth, in the county of Saratoga," to Messrs. Nelson, Littlefield and Hollenbeck.

The Senate bill entitled "An act to incorporate the Elmira savings bank," to Messrs. Randall, Benedict and Case.

"An act to amend the acts authorising the business of banking," passed April 18, 1838, and acts amendatory thereto," to Messrs. Savage, Peters and Weed.

"An act to change the name of James Sheafe Smith," to Messrs. Burnett, Dewey and Morris.

"An act relating to common schools in the city of New-York," to Messrs. Clinton, Dawson and Ward.

"An act to amend an act passed May 11, 1846, entitled 'An act for the better security of mechanics, &c.,' to Messrs. McGraw, Freeman and Harris.

"An act to appoint commissioners to investigate and examine into the affairs of the State prisons in this State," to Messrs. McMurray, J. E. Willis and Odell.

"An act to incorporate the United States inebriate asylum for the reformation of the poor and destitute inebriate," to Messrs. Ware, Littlefield and Stephens.

"An act for the more perfect organisation of the police department in the city of New-York," to Messrs. Savage, Sessions and Robertson.

"An act to authorise the Flushing and Newtown turnpike bridge and road company to reduce their rate of toll, and to purchase additional real estate," to Messrs. Searing, Barrow and Bergen.

"An act to incorporate the Turverien company in New-York," to Messrs. Sharpe, Angle and Aitken.

The Senate bill entitled "An act to incorporate the Erie county savings bank," to Messrs. Randall, Benedict and Case.

The Senate bill entitled "An act for the incorporation of private and family cemeteries," to Messrs. Ward, Richards and Graham.

"An act to incorporate the Oswego city library," to Messrs. Littlejohn, Boardman and Dewey.

Mr. Gleason, from the select committee to which was referred the bill entitled "An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district," to report complete, reported in favor of the passage of the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act creating a permanent board of commissioners, for making estimates and assessments for opening and widening or otherwise improving avenues and streets, and for making, laying out or otherwise improving any public place, park or other public ground, in the city of New-York," to report complete, reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Aitken, from the minority of the aforesaid select committee submitted a report against its passage, in writing.

Mr. Gleason, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act in relation to plank roads,' passed June 30, 1853," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Sessions, from the majority of the select committee to which was referred the bill entitled "An act to enable John O'Brien to take, hold and convey certain real estate," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law.

On motion of Mr. Richards,

Said report was laid on the table.

Mr. Graham, from the select committee to which was referred the bill entitled "An act to repeal the act entitled 'An act to regulate the wharfrage on lighters in the cities of New-York and Brooklyn,' passed April 13, 1852," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Aitken, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the East Brooklyn savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Peters, from the select committee to which was referred the bill entitled "An act to amend chap. 224 of the Laws of 1852, entitled 'An act to amend the several acts relating to the powers and duties of the commissioners of emigration, and for the regulation of the marine hospital,' passed April 13, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries,' passed April 13, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Mat. Hutchinson	Nelson	Sumner
Bailey	Cushman	Mos. Hutchinson	Noble	Thompson
Barton	Dawson	Jenkins	Odell	Thorn
Baucus	Dewey	Joy	Palmer	Townsend
Beers	R. Dunlap	Kinney	Peters	Underwood
Benedict	Edwards	Kirkland	Richardson	Ward
Bennett	Fiero	Legg	Robertson	Ware
Bergen	Freeman	Leigh	Rowland	Weed
Boardman	Germain	Littlefield	Savage	Whipple
Bostwick	Gleason	Maguire	Sessions	Whitman
Brust	Gott	Mather	Seeley	Wilder
Burgess	Graham	McGraw	Sharp	D. Willis
Case	Hall	McMurray	Sheeley	J. E. Willis
Clinton	Harpur	Mills	Speaker	Williams
Cook	Holdridge	S. F. Miller	Stephens	Winne
Collins	Hollenbeck	Mitchell	Sterling	J. S. Wood
Cost	Hoyle	Munroe		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Dewey, from the majority of the select committee to which was referred the bill entitled "An act to permit the Sacketts Harbor and Saratoga railroad company to construct a portion of its road through a portion of Warren and Essex counties," to report complete, reported the same complete with an amendment, which report was agreed to.

Mr. Gleason moved to recommit the above named bill to the committee of the whole, with instructions to make the following amendment:

§ 2. All conveyances authorized by the act of April 10th, 1848, entitled "An act to incorporate the Sacketts Harbor and Saratoga railroad company," shall be upon the express condition that such conveyances shall be void, and the land shall revert to the State unless the said company shall complete the entire road, and have it in running order by the first day of May, 1858.

§ 3. All subscriptions of stock and money paid and expended by those opposed to the change in route, shall be released and refunded, and all donations of land made by individuals opposed to such change of route shall be released and given up before commencing to build on the Warren and Essex route, and the said company shall not be allowed to locate or purchase any lands in the counties of Herkimer and Hamilton, which have been sold or contracted to be sold by the State.

Mr. Searing moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

{ AYES 56 }
{ NOES 33 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Dewey	Mos. Hutchinson	McGraw	Speaker
Bailey	A. A. Dunlop	Jenkins	Nelson	Sterling
Barrow	R. Dunlap	Joy	Noble	Suffern
Bancus	Edwards	Kinney	Odell	Thorn
Benedict	Freeman	Kirkland	Palmer	Ward
Boardman	Gibbs	Legg	Peters	Ware
Bostwick	Hall	Leigh	Savage	Weed
Brust	Harris	Littlefield	Scott	Whipple
Chesebro	Hatch	Martin	Searing	Wilder
Cook	Hollenbeck	Mather	Sessions	D. Willis
Cumming	Mat. Hutchinson	May	Seeley	J. E. Willis
Cushman				

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Those who voted in the negative are,

Angle	Cost	Hinkley	S. F. Miller	Thompson
E. J. Baldwin	Crocheron	Holdridge	Mitchell	White
Beers	Dawson	Hoyle	Randall	Whitman
Bennett	Fiero	Hull	Rose	Winne
Burgess	Gleason	Lozier	Rowland	D. P. Wood
Case	Gott	Maguire	Shesley	W. H. Wood
Collins	Harper	G. Miller		

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Mr. Speaker then put the main question, it being whether the House would agree with the report of the committee of the whole, and it was determined in the affirmative, as follows:

{ AYES 66 }
{ NOES 31 }

Those who voted in the affirmative are,

Aitken	Cumming	Hollenbeck	Martin	Seaside
Bailey	Cushman	Howell	Mather	Sealey
Barrow	Dewey	Mat. Hutchinson	May	Speaker
Barton	A. A. Dunlap	Mes. Hutchinson	McGraw	Steering
Baucus	B. Dunlap	Jenkins	G. Miller	Sutton
Benedict	Edwards	Joy	Nelson	Thorn
Bergen	Freeman	Kinney	Noble	Ward
Bhadsman	Germain	Kirkland	Odell	Weed
Bostwick	Gibbs	Legg	Palmer	Wilder
Boyd	Hall	Leigh	Peters	D. Willis
Brust	Harris	Littlefield	Savage	J. E. Willis
Case	Hatch	Lozier	Scott	Winne
Chesbro	Hinkley	Maguire	Searing	D. P. Wood
Cook				

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Those who voted in the negative are,

Angle	Grocherson	Holdridge	Mitchell	Underwood
Baker	Dawson	Hoyle	Randall	Ware
R. J. Baldwin	Fiere	Hull	Robertson	White
Beers	Gleason	McMurray	Rose	Whitman
Bennett	Gott	Mills	Rowland	Williams
Burgess	Harpur	S. P. Miller	Sheeley	W. H. Wood
Collins				

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Ordered, That said bill be engrossed for a third reading.

Mr. Bailey, from the select committee to which was referred the bill entitled "An act to amend an act to authorize the Hammondsport and Bath plank road company to abandon a part of their road without completing the same, passed April 12, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee to which was referred the Senate bill entitled "An act to promote medical science," to report complete, reported the same complete with amendments, which report was agreed to.

Mr. Maguire moved to recommit said bill to the committee of the whole.

Mr. Lozier moved an indefinite postponement.

Pending consideration thereof,

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock p. m.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Chesbro asked and obtained leave to introduce a bill entitled "An act concerning the sale of certain school district pro-

perty in district No. 5, New Scotland and Bern," which was read the first time, and by unanimous consent was read the second time.

On motion of Mr. Chesebro, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Germain asked and obtained leave to introduce a bill entitled "An act to authorise any town in the counties of Erie and Cattaraugus to subscribe to the capital stock of the Buffalo and Pittsburgh railroad company, and to issue their bonds in payment therefor," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Germain, and by unanimous consent,

Said bill was referred to the delegations from Cattaraugus and Erie, as a select committee, to report complete.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to regulate the powers of the common council of the city of New-York, in reference to omnibusses and stage routes and licenses in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cumming, and by unanimous consent,

Said bill was referred to the New-York city delegation, as a select committee, to report complete.

By unanimous consent,

Mr. Mallory asked and obtained leave to introduce a bill entitled "An act to authorise the laying out, opening and constructing a road from Carmel village to Brewster's station, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Mallory, and by unanimous consent,

Said committee was empowered to report the same complete.

By unanimous consent,

Mr. Boardman asked and obtained leave to introduce a bill entitled "An act to authorise any towns in the counties of Oswego, Oneida, Herkimer and Fulton, to subscribe to the stock of the Oswego and Troy railroad," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Boardman, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Speaker announced as such committee Messrs. Boardman, Hinkley and Gleason.

By unanimous consent,

Mr. Leigh asked and obtained leave to introduce a bill entitled "An act to incorporate the American Women's Education Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State in certain real estate of which Glasgow Walker died seized, to Mary Ann Walker, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to release the interest of the State in certain real estate of which James Breman died seized, to Eliza R. Breman, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Lozler,

Leave of absence was granted to Mr. S. Baldwin for two days.

Mr. Martin, from the select committee, to which was referred the bill entitled "An act to change the name of Harry Moore to Harry Moore Hyes," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Randall, from the select committee to which was referred the bill entitled "An act to confirm the acts of the commissioners appointed to preside over the election of town officers in the organization of the town of Horseheads," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Rose, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the village of Perry,' passed July 5, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlefield, from the select committee, to which was referred the bill entitled "An act authorising the trustees of the Brownville Female Seminary to sell and dispose of their corporate property," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker announced the special order, it being the consideration of the motion to recommit the Senate bill entitled "An act for the suppression of intemperance," to the select committee that had had the same in charge, with instructions to report the same precisely as it came from the Senate, forthwith.

Mr. Morris, from the minority of said committee, submitted a report in writing adverse to the passage of said bill, and introduced a bill with a similar title, and recommended the passage thereof.

On motion of Mr. Richards,

Said bill and accompanying report was ordered to be printed as an appendix to the bills and report received yesterday.

Mr. Case offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That 2,500 copies of the majority and minority reports of the select committee to which was referred the bill entitled "An act for the suppression of intemperance," be printed for the use of the members of this House.

Ordered, That said resolution be referred to the committee on public printing.

Mr. W. H. Wood moved to amend the amendment of Mr. Leigh by adding to the instructions to said select committee to so amend the Senate bill that no licenses to sell intoxicating liquors to any person to be drank on the premises of the person selling, commonly called tavern licenses, shall hereafter be granted.

Mr. Fiero moved to amend by instructing the select committee to amend said bill by striking out 1st of May, in the last section, and inserting the 1st of August.

On motion of Mr. Peters,

The special order was postponed to-day, and the subject under consideration was made the special order for Monday at half-past three o'clock.

On motion of Mr. Peters,

The bill entitled "An act to permit the Sacketts Harbor and Saratoga railroad company to lay out a portion of their road through portions of Warren and Essex counties," was ordered to have its third reading on Wednesday, immediately after reading the journal.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to incorporate the Saratoga Lake bridge company."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative are,

Angie	Dawson	Hollenback	Martin	Speaker
Bailey	Dewey	Howell	Mather	Stephens
R. J. Baldwin	A. A. Dunlop	Hull	McGraw	Suflern
Barrow	R. Dunlap	Mat. Hutchinson	McMurray	Underwood
Barton	Edwards	Mos. Hutchinson	Mills	Ward
Beers	Fiero	Jenkins	L. Miller	Weed
Benedict	Freeman	Joy	Mitchell	Whipple
Bergen	German	Kinney	Nelson	White
Bostwick	Gibbs	Kirkland	Noble	Wilder

Brust	Gleason	Legg	Palmer	D. Willis
Burgess	Gott	Littlefield	Peters	Williams
Chesebro	Hall	Maguire	Sessions	Winne
Crocheron	Harpur	Mallory	Sharp	W. H. Wood
Cushman				

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to remove certain coarse salt works in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

"An act for the incorporation of societies to establish free churches," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Littlejohn, and by unanimous consent,

Said committee was empowered to report the same complete.

"An act to make the village of Hamilton a single road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the third article of the first title of chapter five, part second, of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Angle, and by unanimous consent,

Said committee was empowered to report the same complete.

The bill entitled "An act to amend an act entitled 'An act in relation to plank roads,' passed June 30, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 09 }

Those who voted in the affirmative, are

Angle	Dewey	Hoyle	L. Miller	Speaker
Bailey	A. A. Danlop	Hull	Mitchell	Stephens
Barrow	R. Dunlap	Mat. Hutchinson	Nelson	Sufern
Barton	Freeman	Joy	Noble	Thompson
Beers	Germain	Kinney	Odell	Underwood
Bergen	Gibbs	Kirkland	Palmer	Ward
Boardman	Gleason	Leigh	Randall	Ware
Boetwick	Gott	Littlejohn	Robertson	Weed
Brust	Hall	Lowie	Rowland	Whipple

Burgess	Harpur	Mallory	Savage	White
Cook	Harris	Martin	Searing	Wilder
Crocheron	Hatch	Mather	Seamons	Williams
Cumming	Hinkley	McGraw	Seeley	Winne
Cushman	Howell	Mills	Sharp	W. H. Wood 70

Those who voted in the negative are,

B. J. Baldwin	Chesebro	Fiero	Legg	Peters
Benedict	Collins	Mos. Hutchinson	McMurray	9

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. McMurray,
At half-past six o'clock p. m., the House adjourned.

SATURDAY, MARCH 18, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Post.

The minutes of yesterday were read and approved.

On motion of Mr. Case, and by unanimous consent,

Resolved, That Assembly bill No. 303, providing for the formation of town mutual insurance companies, be the special order for Tuesday morning next, immediately after the reading of the journal.

Mr. Hoyle presented the petition of P. D. Orvis & Co. for relief, which was read and referred to the committee on state prisons.

Mr. Ward presented 46 remonstrances from Bliss Briggs and Douglass, against the passage of the New-York wharfage bill, which were read and referred to the committee on commerce and navigation.

Mr. Dewey presented the remonstrance of stockholders of the Waterville and Rome railroad company, against the act authorising the directors of said company to endorse the bonds of the Watertown and Potsdam railroad company.

On motion of Mr. Ward,

Said petition and the bill and other papers to which the said petition relates, were referred to the committee on railroads.

On motion of Mr. Bergen, and by unanimous consent,

The judiciary committee were empowered to report complete the bills entitled "An act for the relief of Eliza R. Beeman," and "An act for the relief of Mary A. Walker."

Mr. Hinkley presented the remonstrance of persons of Herkimer county, against towns in said county loaning their credit for the building of railroads, which was read and referred to the committee on railroads.

Mr. Leigh presented the remonstrance of Nicholas Dean and others, against taking away from the present commissioners of

police their power of appointment, which was read and referred to a select committee.

Mr. Burgess presented the remonstrance of the inhabitants of the town of Salisbury, Herkimer county, against loaning the credit of towns to railroad corporations, which was read and referred to the committee on railroads.

Mr. Littlejohn presented two remonstrances of sundry citizens of Oswego, against the repeal of the school law of that city, which were read and referred to the committee on colleges, academies and common schools.

On motion of Mr. Hull,

Leave of absence was granted to Mr. Burgess for two days.

On motion of Mr. D. P. Wood,

Leave of absence was granted to Mr. Sill until Tuesday.

On motion of Mr. A. A. Dunlop,

Leave of absence was granted to Mr. Wilson until Tuesday.

Leave of absence was granted to Mr. Boardman until Tuesday, on his own motion.

On motion of Mr. McMurray,

Leave of absence was granted to Mr. Holdridge for two days.

Mr. Littlejohn presented the petition of sundry citizens of Oswego, asking for a law authorising incorporation of societies for the establishment of free churches, which was read and laid on the table.

Mr. Brust presented the petition from the board of supervisors of Rensselaer county, for a law conferring upon justices of the peace throughout the towns of said county certain duties, which was read and referred to a select committee.

Mr. Littlefield presented the petition of inhabitants of Jefferson county, to regulate the transportation of freight, which was read and referred to the committee on the judiciary.

Mr. Bergen presented the remonstrance of Jacob Suydam and others, against some of the provisions of the bill for the opening, grading, &c., of Division avenue, which was read and referred to a select committee.

Mr. Whipple presented the petition of sundry inhabitants of Otsego county, for the gradual withdrawal of safety fund notes, which was read and laid on the table.

Mr. Williams presented the petition of trustees and members of the first Presbyterian society of the town of Woodhull, Steuben county, for the passage of a law to allow said society to sell their gospel lot, which was read and referred to the committee on the judiciary.

Mr. Kinney, presented the petition of 66 citizens of Skaneateles, praying that in case of the passage of the prohibitory liquor law, an earlier day may be fixed upon for its taking effect, which was read and laid on the table.

Mr. Brust presented the petition from the board of supervisors of Rensselaer county, for a reduction of sheriff fees of said county,

for carrying convicts to State prison, which was read and referred to a select committee.

Mr. Angle, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the county of Dutchess, praying for relief for the town of Poughkeepsie, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the town of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Jefferson county, praying for the passage of an act regulating the transportation of freight, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Littlejohn, from the committee on canals, to which was referred the bill entitled "An act to provide for the enlargement of the Erie, the Oswego and Cayuga and Seneca canals, and the completion of the Genesee valley and Black river canals, and to provide for the payment of certain canal revenue certificates," reported in writing, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the election of local officers to discharge the duties of judge and surrogate in the county of Clinton," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Littlejohn, from the committee on canals, asked and obtained leave to bring in a bill entitled "An act to repeal an act entitled 'An act to provide for the completion of the Erie canal enlargement, and the Genesee valley and Black river canal,' passed July 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the petition of 39 citizens of the county of New-York, relative to fugitive slaves, reported adversely to the prayer of the petitioners, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

On motion of Mr. Peters,

Said resolution was laid on the table.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the conveyance of lands in specific performance of a contract by a party deceased," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Dawson, from the select committee to which was referred the bill entitled "An act relative to common schools in the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the fees of justices of the peace and constables, in the city of Buffalo," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to criminal courts in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to confer upon counsellors at law the powers of commissioners of deeds," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the local preachers' association of the Methodist Episcopal church of New-York and Brooklyn," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act relative to special proceedings," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act to organise and establish a recorder's court in the city of Buffalo, and for other purposes, passed April 20, 1829," reported that the com-

mittee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the petition of sundry inhabitants of Fulton and Hamilton counties, praying for the improvement of the Sacandaga river, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for improving the Sacandaga river," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Edwards, from the committee on railroads, to which was referred the bill entitled "An act to authorise the consolidation of the Troy and Boston railroad company with other railroad companies," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the laying out, opening and working of a public highway in the village of Canandaigua, Ontario county, and raising money to defray the expenses thereof," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the select committee to which was referred the bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking,' " to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moseley Hutchinson, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the boards of supervisors of the several counties of this State to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee, to which was referred the bill entitled "An act to regulate the powers of the common council of the city of New-York, in reference to omnibus and stage routes, and license, in said city," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Oswego,' passed April 12, 1848, and the acts amending the same, and for other purposes," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee, to which was referred the bill entitled "An act in relation to private cemeteries," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act to release the interest of the State in certain real estate in which Glasgow Walker died seized, to Mary Ann Walker, his widow," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. R. Dunlap, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara savings bank,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the committee on the judiciary, to which was referred the petition of Hugh Cameron, praying for the relief of Alexander Russel and others, reported, and asked and obtained leave to bring in a bill entitled "An act to enable William Russell, Alexander Russell, Ellen Bryce and James Bryce to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Harris, from the select committee to which was referred the bill entitled "An act to regulate the tare on raw cotton sold in bales," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. McMurray, from the select committee to which was referred the bill entitled "An act to appoint commissioners to investigate and examine into the pecuniary affairs and condition of the several State prisons of this State," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act to change the name of James Sheafe Smith," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the committee on the judiciary referred the bill entitled "An act to amend the 6th article 1st of title 4 of part 1st of the Revised Statute to the time of opening of the polls at elections in Westchester," reported that the committee had a bill, made sundry amendments thereto, and saw the same, as amended, should not be passed into law.

Ordered, That said bill be committed to the committee on the whole.

Mr. Burnett, from the committee on the judiciary referred the bill entitled "An act to release the interest in certain real estate of which James Breman died R. Breman, his widow," to report complete, reported complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Benedict, from the select committee, to which referred the bill entitled "An act to incorporate the bank," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. A. Dunlop, from the select committee to which referred the Senate bill entitled "An act to reduce the expense of the town of Watervliet," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Nelson, from the select committee to which referred the bill entitled "An act authorising highway labor on the Half Moon and Clifton Park plank road, in Saratoga," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Leigh, from the select committee, to which referred the bill entitled "An act to incorporate the Tract Methodist Episcopal church," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the select committee, to which referred the bill entitled "An act for the incorporation of the improvement of the breed of horses," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Dawson, from the select committee to which referred the bill entitled "An act relating to county superintendents of the poor," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Boardman, from the select committee to which was referred entitled "An act to provide for the drainage of a part of the swamp, in the town of Rome, in the county of Oneida," to report complete, reported the same complete with amendments, which report was agreed to.

That said bill be engrossed for a third reading.

Sessions, from the select committee, to which was referred entitled "An act to amend title three, part third, chapter article eight of the Revised Statutes, in relation to the collection of debts due the State upon lost evidences of debt or lost to report complete, reported the same complete without amendment, which report was agreed to.

That said bill be engrossed for a third reading.

Morris, from the select committee to which was referred entitled "An act to authorise the county judge of the county of Kings to appoint a crier of the courts of record to be and for said county," to report complete, reported the same complete, with amendments, which report was agreed to.

That said bill be engrossed for a third reading.

Benedict, from the select committee, to which was referred Senate bill entitled "An act to incorporate the Erie county bank," to report complete, reported the same complete with amendment, which report was agreed to.

That said bill be engrossed for a third reading.

Graham, from the select committee to which was referred entitled "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots and regulation of the pilotage of the port of New-York,' passed June 28, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

That said bill be engrossed for a third reading.

Nelson, from the select committee to which was referred entitled "An act for the relief of the county of Saratoga," to report complete, reported the same complete without amendment, which report was agreed to.

That said bill be engrossed for a third reading.

Boardman, from the select committee to which was referred entitled "An act to authorise any town in the counties of Oneida, Herkimer, Fulton, Montgomery, Schenectady, Albany or Rensselaer, to subscribe to the capital stock of Oswego and Troy railroad company," to report complete, reported the same complete without amendment, which report was agreed to.

That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting concurrence of the Assembly to the bills entitled as follows: "An act in relation to the police justices in the city of Albany," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on local affairs of towns and counties.'

On motion of Mr. A. A. Dunlop, and by unanimous consent, Said committee was empowered to report the same.

"An act relative to common schools in the city of Albany," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on academies and common schools.

On motion of Mr. Cumming, and by unanimous consent, Said committee was empowered to report the same.

By unanimous consent,

Mr. Edwards asked and obtained leave to introduce a bill entitled "An act relative to the assessment and taxation of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. W. H. Wood asked and obtained leave to introduce a bill entitled "An act for the relief of the Erie and Westchester railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Angle asked and obtained leave to introduce a bill entitled "An act to amend an act for the continuation of a road in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Angle, and by unanimous consent, Said bill was referred to the Monroe delegation, and by unanimous consent, to report complete.

By unanimous consent,

Mr. Wilder asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the village of Hoosick Falls,' passed April 14, 1827," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wilder, and by unanimous consent, Said bill was referred to the Rensselaer county delegation, and by unanimous consent, to report complete.

The bill entitled "An act further to amend an act to amend an act for the security of mechanics and others erecting buildings and other building materials therefor, in the counties of Westchester, Dutchess, Rensselaer, Rockland, Chemung, and the city of Albany, in the county of Orange, passed April 16, 1827," was read the third time.

Mr. Speaker put the question whether the House do pass the bill, and it was determined in the affirmative, a majority of all the members elected, by voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

se who voted in the affirmative are,

Dawson	Hoyle	Mitchell	Stephens
Dewey	Hull	Morris	Suffern
A. A. Dunlop	Mat. Hutchinson	Nelson	Thompson
R. Dunlap	Mos. Hutchinson	Noble	Underwood
Edwards	Kinney	Odell	Ward
Fiero	Kirkland	Palmer	Ware
Germain	Legg	Peters	Whipple
Gibbs	Leigh	Preston	Whitman
Gott	Littlefield	Robertson	Wilder
Graham	Littlejohn	Rowland	J. E. Willis
Hall	Mather	Savage	Williams
Harpur	May	Searing	Winne
Harris	McGraw	Sessions	D. P. Wood
Hatch	McMurray	Sharp	W. H. Wood
Howell	S. F. Miller	Speaker	74

ed, That the Clerk deliver said bill to the Senate, and their concurrence therein.

ill entitled "An act to authorise the city of Troy to raise y tax, and borrow money," was read a third time.

peaker put the question whether the House would agree inal passage of said bill, and it was determined in the ve, a majority of all the members elected to the Assem- ng in favor thereof, and three-fifths of said members be- ent, as follows :

{ AYES 80 }
{ NOES 00 }

se who voted in the affirmative are,

Cook	Harris	McGraw	Sheeley
Collins	Hatch	McMurray	Speaker
Cumming	Hollenbeck	Mills	Stephens
win Cushman	Hoyle	L. Miller	Suffern
Dawson	Hull	S. F. Miller	Thompson
Dewey	Mat. Hutchinson	Munroe	Underwood
A. A. Dunlop	Mos. Hutchinson	Nelson	Ward
R. Dunlap	Jenkins	Noble	Whipple
Edwards	Kinney	Odell	White
Freeman	Kirkland	Palmer	Whitman
Germain	Leigh	Peters	Wilder
Gibbs	Littlefield	Preston	J. E. Willis
Gott	Littlejohn	Rowland	Williams
Graham	Maguire	Searing	Winne
Hall	Martin	Seeley	J. S. Wood
Harpur	May	Sharp	W. H. Wood 80

ed, That the Clerk deliver said bill to the Senate, and their concurrence therein.

enate bill entitled "An act to amend the act entitled t to provide for the incorporation of villages," passed Dec. so far as relates to the village of Middletown, in the of Orange," was read a third time.

peaker put the question whether the House would agree inal passage of said bill, and it was determined in the ive, a majority of all the members elected to the Assem-

bly voting in favor thereof, and three-fifths of said ing present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Collins	Harris	S. F. Miller
Bailey	Cumming	Hatch	Nelson
Baker	Cushman	Hollenbeck	Noble
R. J. Baldwin	Dawson	Hoyle	Palmer
Barrow	Dewey	Hull	Preston
Barton	A. A. Dunlop	Mat. Hutchinson	Robertson
Beers	R. Dunlap	Mos. Hutchinson	Rowland
Benedict	Edwards	Jenkins	Savage
Bennett	Fiero	Kinney	Searing
Bergen	Freeman	Kirkland	Sessions
Boardman	Germain	Legg	Seeley
Bostwick	Gibbs	Leigh	Sharp
Brust	Gott	Littlejohn	Sheeley
Case	Graham	Maguire	Speaker
Chesebro	Hall	McMurray	Stephens
Cook	Harpur	L. Miller	

Ordered, That the clerk return said bill to the a message informing that the Assembly have passed the out amendment.

The bill entitled "An act appropriating money for prison," was read a third time.

Mr. Speaker put the question whether the House to the final passage of said bill, and it was determined affirmative, a majority of all the members elected to voting in favor thereof, and three-fifths of said m present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Hoyle	May
Baker	Dawson	Hull	McGraw
R. J. Baldwin	Dewey	Mat. Hutchinson	McMurray
Barrow	A. A. Dunlop	Mos. Hutchinson	Mills
Barton	R. Dunlap	Jenkins	L. Miller
Beers	Edwards	Joy	S. F. Miller
Benedict	Fiero	Kinney	Mitchell
Bennett	Germain	Kirkland	Morris
Bergen	Gibbs	Legg	Nelson
Bostwick	Gott	Leigh	Noble
Brust	Hall	Littlefield	Odeh
Burnett	Harpur	Littlejohn	Peters
Case	Harris	Maguire	Preston
Chesebro	Hatch	Mallory	Rowland
Collins	Hinkley	Martin	Searing
Cumming	Hollenbeck	Mather	

Ordered, That the Clerk deliver said bill to the S quest their concurrence therein.

bill entitled "An act for the withdrawal of the circulating incorporated banks whose charters have expired or may expire," was read a third time.

Speaker put the question whether the House would agree on the passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Cushman	Hoyle	Mills	Speaker
Dawson	Mat. Hutchinson	L. Miller	Stephens
Dewey	Mos. Hutchinson	S. F. Miller	Stuffer
A. A. Dunlop	Jenkins	Nelson	Thompson
R. Dunlap	Joy	Noble	Ward
Edwards	Kirkland	Odell	Whipple
Fiero	Legg	Palmer	Whitman
Germain	Leigh	Peters	Wilder
Gibbs	Littlefield	Randall	D. Willis
Gott	Littlejohn	Robertson	J. E. Willis
Hall	Maguire	Rowland	Williams
Harpur	Mallory	Savage	Winne
Harris	Mather	Searcy	D. P. Wood
Hatch	May	Seely	J. S. Wood
Hinkley	McGraw	Sharp	W. H. Wood
Hollenbeck	McMurray	Sheeley	

And, That the clerk deliver said bill to the Senate, and their concurrence therein.

bill entitled "An act to incorporate the Ogdensburgh water company," was read a third time.

Speaker put the question whether the House would agree on the passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly in favor thereof, as follows:

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Dewey	Mos. Hutchinson	L. Miller	Stuffer
A. A. Dunlop	Jenkins	S. F. Miller	Thompson
R. Dunlap	Joy	Mitchell	Thorn
Edwards	Kinney	Nelson	Ward
Fiero	Kirkland	Noble	Whipple
Freeman	Legg	Odell	White
Germain	Leigh	Palmer	Whitman
Gibbs	Littlefield	Preston	Wilder
Gott	Littlejohn	Richards	D. Willis
Hall	Maguire	Robertson	J. E. Willis
Harpur	Mallory	Rowland	Williams
Harris	Mather	Savage	Winne
Hoyle	May	Seely	D. P. Wood
Hull	McMurray	Speaker	J. S. Wood
T. Mat. Hutchinson	Mills	Stephens	W. H. Wood

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act relative to plank roads and turnpike roads," coming up for its third reading,

On motion of Mr. Weed, and by unanimous consent,
The county of Steuben was excepted from the provisions of its third section.

Mr. Moseley Hutchinson moved to recommit said bill with instructions to amend as follows: "The power to abandon parts or the whole of any plank road shall be submitted to the several boards of supervisors."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moseley Hutchinson, and it was determined in the negative.

Mr. Mitchell moved to recommit said bill with instructions to amend by adding to the 2d section "but such company shall only collect turnpike tolls on such parts of their road as is constructed with broken stones, ground shells, or other hard material."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mitchell, and it was determined in the affirmative.

On motion of Mr. W. H. Wood,

Said committee was instructed to strike out "7 per cent," and insert "6 per cent," where it occurs in the 4th section.

Mr. W. H. Wood moved to further instruct said committee to insert a section providing that no part of any plank road shall be discontinued or altered except upon the order of the county judge of the county, to be obtained on application to him, notice of which shall have been previously duly published in two of the county papers of said county.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. W. H. Wood, and it was determined in the negative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries.'"

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle
Bailey
R. J. Baldwin

Cushman
Dawson
Dewey

Mat. Hutchinson L. Miller
Mos. Hutchinson S. F. Miller
Jenkins Mitchell

Stuffer
Thompson
Thorn

Barrow	A. A. Dunlop	Kirkland	Noble	Ward
Barton	R. Dunlap	Degg	Odell	Ware
Beers	Edwards	Leigh	Palmer	Whipple
Benedict	Fiero	Littlefield	Peters	White
Bennett	Freeman	Littlejohn	Preston	Whitman
Bergen	Germain	Lozier	Randall	D. Willis
Boatwick	Gott	Mallory	Robertson	J. E. Willis
Brust	Hall	Martin	Savage	Williams
Burnett	Harpar	Mather	Searing	Winne
Case	Hatch	May	Seeley	D. P. Wood
Chesebro	Hinkley	McGraw	Sharp	J. S. Wood
Cook	Hoyle	McMurray	Sheeley	W. H. Wood
Collins	Hull	Mills	Speaker	

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act relating to highways in the town of Smithfield, in the county of Madison," coming up for its third reading,

On motion of Mr. Benedict,

Said bill was recommitted, with instructions to strike out the first section thereof.

The bill entitled "An act to confirm certain acts of the common council of the city of Oswego, in relation to the building of a pier in the west harbor of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hoyle	L. Miller	Speaker
Bailey	Cumming	Hull	S. F. Miller	Suffern
Baker	Cushman	Mat. Hutchinson	Mitchell	Thompson
R. J. Baldwin	Dawson	Mos. Hutchinson	Noble	Thorn
Barrow	Dewey	Jenkins	Odell	Ward
Barton	A. A. Dunlop	Kirkland	Palmer	Ware
Beers	R. Dunlap	Legg	Peters	Whipple
Benedict	Edwards	Leigh	Preston	White
Bennett	Fiero	Littlefield	Richards	Whitman
Bergen	Freeman	Littlejohn	Rowland	Wilder
Boatwick	Germain	Lozier	Savage	D. Willis
Brust	Gibbs	Magnire	Searing	Williams
Burnett	Gott	Mallory	Seeley	Winne
Case	Hall	May	Sharp	D. P. Wood
Chesebro	Harpar	McGraw	Sheeley	W. H. Wood
Cook	Hatch	McMurray		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 2,500 copies of the majority and minority reports of the select committee having in charge the

Senate prohibitory liquor bill, for the use of this House in favor of the adoption of the same, which report was

Mr. Weed, from the committee on roads and bridges, was referred the bill entitled "An act in relation to and turnpike roads," to make sundry amendments, same so amended.

Said bill then coming up for its third reading,

On motion of Mr. Randall, and by unanimous vote, The county of Chemung was excepted from the said bill.

On motion of Mr. R. J. Baldwin, The county of Chenango was excepted from the said bill.

Said bill was then read a third time.

Mr. Speaker put the question whether the House to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to vote in favor thereof, as follows:

} AYES 69 }
} NOES 16 }

Those who voted in the affirmative, are,

Bailey	A. A. Dunlop	Jenkins	Odell
Barton	R. Dunlap	Joy	Palmer
Boers	Edwards	Kirkland	Peters
Benedict	Fiero	Leigh	Preston
Bennett	Freeman	Littlefield	Randall
Bergen	Germain	Littlejohn	Robertson
Bostwick	Gibbs	Maguire	Rowland
Burnett	Gott	Mallory	Savage
Case	Hall	May	Searing
Cook	Harpur	McGraw	Seeley
Collins	Hatch	L. Miller	Sheeley
Cumming	Hinkley	Mitchell	Speaker
Dawson	Hoyle	Morris	Stephens
Dewey	Hull	Noble	Suffern

Those who voted in the negative are,

Angle	Chesebro	Mos. Hutchinson	Mills
Baker	Cushman	Legg	S. F. Miller
R. J. Baldwin	Mat. Hutchinson	Mather	Sharp
Barrow			

Ordered, That the Clerk deliver said bill to the request their concurrence therein.

On motion of Mr. Mallory,
The time for adjournment was extended until two o'clock.
By unanimous consent,

Mr. Mather gave notice that he would at an early day to introduce a bill to authorise the holding of a meeting in the town of New Lisbon, in the county of Chenango.

The bill entitled "An act to incorporate the city of New Lisbon," was read a third time.

Speaker put the question whether the House would agree to the passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

A. A. Dunlop	Mos. Hutchinson	L. Miller	Speaker
R. Dunlap	Jenkins	S. F. Miller	Stephens
Edwards	Joy	Mitchell	Suffern
Fiero	Kirkland	Morris	Thompson
Freeman	Legg	Nelson	Thorn
Germain	Leigh	Noble	Ward
Gibbs	Littlefield	Odell	Weed
Gott	Lozier	Palmer	Whipple
Graham	Maguire	Peters	White
Hall	Mallory	Preston	Wilder
Harpur	Martin	Randall	D. Willis
Harris	Mather	Robertson	J. E. Willis
Hatch	May	Rowland	Williams
Hinkley	McGraw	Savage	Winne
Hoyle	McMurray	Searing	D. P. Wood
Hull	Mills	Seeley	J. S. Wood
Mat. Hutchinson	G. Miller	Sharp	W. H. Wood

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and, That the Clerk deliver said bill to the Senate, and their concurrence therein.

By unanimous consent,

Morris moved that the judiciary committee be empowered to complete the bill entitled "An act to release the interest of the State of New-York to certain real estate, of Henry Culvert died seized, to John Cavanagh.

Speaker put the question whether the House would agree to the motion of Mr. Morris, and it was determined in the affirmative.

By motion of Mr. Bailey, and by unanimous consent, the bill entitled "An act to divide Steuben county into two districts," was ordered to have its final reading on Wednesday 22d inst., immediately after the final vote upon the bill in opposition of intemperance.

The bill entitled "An act to authorise the laying out, opening and widening of a public highway in the town of Canandaigua, Ontario, and raising money to defray the expenses of working the same," was read a third time.

Speaker put the question whether the House would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Mos. Hutchinson	Mitchell	Sniffen
Bailey	Dewey	Jenkins	Morris	Thompson
Baker	A. A. Dunlap	Joy	Noble	Thorn
R. J. Baldwin	R. Dunlap	Kirkland	Odell	Ward
Barrow	Fiero	Legg	Palmer	Ware
Barton	Freeman	Leigh	Peters	Weed
Beers	Germán	Littlefield	Preston	Whipple
Benedict	Gibbs	Littlejohn	Randall	White
Bennett	Gott	Lozier	Robertson	Wilder
Bergen	Hall	Maguire	Rowland	D. Willis
Bostwick	Harpur	Mallory	Savage	J. E. Willis
Brust	Harris	Mather	Searing	Williams
Case	Hatch	May	Seeley	Winne
Chesebro	Hinkley	McGraw	Sharp	D. P. Wood
Cook	Hoyle	McMurray	Speaker	J. S. Wood
Collins	Hull	Mills	Stephens	W. H. Wood
Cumming	Mat. Hutchinson	L. Miller		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to appoint commissioners to investigate and examine into the pecuniary affairs and condition of the several State prisons of this State, and to report thereon, and also such laws as they may deem proper for the better regulation and discipline of the same, to the Legislature of this State," coming up for its third reading,

On motion of Mr. Lozier, and by unanimous consent,

Said bill was amended as follows: "Or who is directly or indirectly interested in any contract with either of the prisons."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Mat. Hutchinson	Mills	Thompson
Bailey	Cushman	Mos. Hutchinson	L. Miller	Thorn
Baker	Dewey	Jenkins	Morris	Ward
R. J. Baldwin	R. Dunlap	Joy	Noble	Ware
Barrow	Fiero	Kirkland	Odell	Weed
Barton	Freeman	Legg	Peters	White
Beers	Germán	Leigh	Preston	Whitman
Benedict	Gibbs	Littlejohn	Robertson	Wilder
Bennett	Gott	Lozier	Rowland	D. Willis
Bergen	Hall	Maguire	Savage	J. E. Willis
Bostwick	Harpur	Mallory	Searing	Williams
Burnett	Harris	Martin	Seeley	Winne
Case	Hatch	Mather	Sharp	D. P. Wood

Chesebro
Cook
Collins

Hinkley
Hoyle
Hull

May
McGraw
McMurray

Speaker
Stephens
Suffern

J. S. Wood
W. H. Wood 79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Joy,

Resolved, That the State printer be and he is hereby directed to print the bill for the suppression of intemperance reported by the majority of the select committee, forthwith, and deliver the same as soon as printed, without waiting to print the reports in connection with it before delivery.

On motion of Mr. Littlejohn, and by unanimous consent,

The time of adjournment was extended five minutes, to be devoted to receiving reports from committees.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act to authorise the Oxford and Butternuts turnpike company, to abandon a part of their road," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ware, from the select committee to which was referred the bill entitled "An act to incorporate the United States inebriate asylum for the reformation of the poor and destitute inebriate," to report complete, reported the same complete with an amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act to incorporate the Oswego city library," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the people of the State to certain real estate, of which Henry Culvert died seized, to John Cavanagh," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act authorising the comptroller to ascertain whether the persons employed by the State to survey certain lots sold Peter Smith, made any mistake in measuring and computing the same, and if so to correct the same," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hull, from the committee on medical societies and colleges to which was referred the bill entitled "An act to amend the Revised Statutes relating to the sale of drugs and medicines," report-

ed that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be engrossed for a third reading.

At five minutes past two o'clock p. m., Mr. Speaker announced the House adjourned.

MONDAY, MARCH 20, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The minutes of Saturday were read and approved.

On motion of Mr. Burnett, and by unanimous consent, The committee of the whole were discharged from the consideration of the following entitled bills:

"An act to allow Peter Comstock pay for services rendered in improving the Ausable river, in the county of Essex."

"An act for the improvement of the south branch of the Ausable river, Essex county."

Said bills were referred to a select committee, to report complete.

Mr. Speaker announced as such committee, Messrs. Burnett, Sessions and Collins.

Mr. D. P. Wood presented the remonstrance against a law to allow the Bridgewater and Utica plank road company to discontinue part of their road, which was read and referred to a select committee.

Mr. Dewey presented the remonstrance of a stockholder against the law allowing the directors of the Watertown and Rome railroad company to endorse the bonds of the Potsdam railroad co., which was read and referred to the committee on railroads.

Mr. Bergen presented the memorial of the city of Brooklyn, for an act to build permanent bridges across the Gowanus canal or creek, without dams, on the line of Hamilton avenue and other streets, which was read and referred to the committee on roads and bridges.

Mr. Littlejohn presented the petition of the officers of Central plank road company, asking the passage of an act allowing them to abandon a portion of their road, which was read and referred to the committee on roads and bridges.

Mr. Littlejohn presented the petition of citizens of Oswego co., asking the passage of a law authorising incorporation of societies for the establishment of free schools, which was read and laid on the table.

Mr. Speaker presented the petition of the New-York State teachers' association, for an act of incorporation, which was read and referred to the committee on ways and means.

Mr. Littlejohn presented the remonstrance of sundry citizens of Oswego, against the repeal of the school law of that city, which was read and referred to the committee on colleges, academies and common schools.

Mr. Mitchell presented the petition of inhabitants of Clyde, Wayne county, for a bridge across the Hudson river, at Albany, which was read and referred to the committee on roads and bridges.

Mr. Robertson, presented the petition of the inhabitants of the town of Durham, Greene county, praying for a law authorising the board of supervisors of said county to levy a sufficient tax on the taxable inhabitants of said town to pay the sum of nine hundred dollars that the commissioners of highways borrowed and expended in building bridges that were swept away by a flood, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Randall presented the petition of inhabitants, voters of the corporation of the village of Horseheads for amendments to their charter, which was read and committed to the committee of the whole; when on the bill on that subject.

By unanimous consent,

Mr. Benedict asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of Utica," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Benedict, and by unanimous consent,

Said bill was referred to the Oneida delegation to report complete.

By unanimous consent,

Mr. Mather asked and obtained leave to introduce a bill entitled "An act to authorise the town of New Lisbon, in the county of Otsego, to hold special town meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Peters, and by unanimous consent,

Resolved, That the directors of "The New-York Institution for the instruction of the deaf and dumb," be requested to report to this House at an early day, whether they have recently disposed of their real estate in the upper part of the city of New-York, and if so at what price and on what terms; also whether they have made a purchase of a new site for their buildings, and if so at what price and on what terms, where it is situated and of how much land it consists; also whether they have expended any money in the improvement of said last mentioned lands or contemplate doing so, and if so how much has been expended and

how much they contemplate expending; also whether any steps have been taken in reference to the erection of any new buildings, and if so what they are, and fully and particularly what has been done, how many pupils the same are intended to accommodate, and what dimensions they are to be, and what is the estimated expense of the same, and of what material and in what style of architecture the same are intended to be built, and particularly whether there will be at any time hereafter any application to the Legislature of this State to pay any part of the expense of such lands, improvements or buildings or of the furnishing of the same or any other expenses growing out of such sale, removal and rebuilding.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorise the supervisor of the town of Plattsburg, Clinton county to lease certain property in said town," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Randall, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Germain, from the select committee to which was referred the bill entitled "An act to authorise any town in the counties of Erie and Cattaraugus to subscribe to the capital stock of the Buffalo and Pittsburgh railroad company, and to issue their bonds in payment thereof," to report complete, reported the same complete without amendment, which report was agreed to

Ordered, That said bill do have its third reading.

Mr. Seeley, from the select committee to which was referred the bill entitled "An act changing the name of the town of Morris, in the county of Otsego, to Wellington," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act relative to common schools in the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Searing, from the select committee to which was referred the bill entitled "An act to authorise the Flushing and Newtown turnpike bridge and road company to reduce their rates of toll and to purchase additional real estate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. A. Dunlop, from the committee on banks, to which was referred the bill entitled "An act directing the copies and certificates of association of banks to be transferred from the Secretary's

office to the banking department," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Case, from the committee on insurance companies, to which was referred the bill entitled "An act for the relief of the Fulton and Montgomery counties mutual insurance association," reported that the committee had had said bill under consideration and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

Mr. Lozier, from the select committee to which was referred the bill entitled "An act to authorise the supervisor of the town of Plattsburgh, Clinton county, to lease certain property in said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee of nine, reported the following bill, as proper to be referred to a select committee, with power to report complete :

"An act for the incorporation of companies formed to navigate the lakes, rivers and canals."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative.

On motion of Mr. Weed,

The question on agreeing with the report of the committee was reconsidered.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Speaker announced as such select committee, Messrs. Weed, Sessions, R. Dunlap, Collins and Lozier.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act to amend the charter of the city of Utica," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act relative to common schools in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle
Bailey
Beers

Dewey
A. A. Dunlop
R. Dunlap

Mat. Hutchinson Odell
Mos Hutchinson Palmer
Jenkins Peters

Stephens
Suffern
Thompson

Benedict	Edwards	Joy	Preston	Thorn
Bennett	Fiero	Kirkland	Randall	Ward
Bergen	Freeman	Littlefield	Richards	Weed
Bostwick	Germain	Lozier	Robertson	Whipple
Brust	Gibbs	Mather	Rowland	White
Burnett	Graham	McGraw	Savage	J. E. Willis
Case	Harpur	L. Miller	Searing	Williams
Chesebro	Harris	S. F. Miller	Seeley	Winne
Cook	Hatch	Mitchell	Sharp	D. P. Wood
Collins	Hinkley	Morris	Speaker	J. S. Wood
Cushman	Hoyle	Noble		

68

Those who voted in the negative are,

Barrow Mills

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Mount Vernon, in the town of Eastchester, county of Westchester, and to make said village a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Cook	Hatch	Mitchell	Sheeley
Bailey	Collins	Hinkley	Morris	Smalley
Baker	Cushman	Hoyle	Noble	Speaker
R. J. Baldwin	Dewey	Mat. Hutchinson	Odell	Stephens
Barrow	A. A. Dunlop	Mos. Hutchinson	Palmer	Suffern
Barton	R. Dunlap	Jenkins	Peters	Thompson
Beers	Edwards	Joy	Preston	Thorn
Benedict	Fiero	Kirkland	Randall	Ward
Bennett	Freeman	Littlefield	Richards	Weed
Bergen	Germain	Lozier	Robertson	Whipple
Bostwick	Gibbs	Mather	Rowland	White
Brust	Gott	McGraw	Savage	J. E. Willis
Burnett	Graham	Mills	Searing	Williams
Case	Hall	L. Miller	Seeley	D. P. Wood
Chesebro	Harpur	S. F. Miller	Sharp	J. S. Wood
Clinton	Harris			

77

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Lozier gave notice that he would, at an early day, ask leave to suspend the 63d rule, so far as it requires next Tuesday's session to be occupied in the consideration of the general order.

By unanimous consent,

Mr. Whipple asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes, relative to summary proceedings, to recover the possession of land," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act in relation to the records of deeds in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 {
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hull	Mitchell	Seeley
Bailey	Collins	Mat. Hutchinson	Morris	Sharp
Baker	Cushman	Mos. Hutchinson	Noble	Sheeley
R. J. Baldwin	A. A. Dunlop	Jenkins	Odell	Speaker
Barrow	R. Dunlap	Joy	Palmer	Stephens
Barton	Edwards	Kirkland	Peters	Suffern
Beers	Fiero	Littlefield	Preston	Thompson
Benedict	Freeman	Lozier	Randall	Thorn
Bergen	Graham	Mather	Richards	Ward
Bostwick	Harpur	McGraw	Robertson	Weed
Brust	Harris	Mills	Rowland	Whipple
Burnett	Hatch	L. Miller	Savage	White
Case	Hinkley	S. F. Miller	Searing	D. P. Wood
Chesebro	Hoyle			

67

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act empowering the Utica and Binghamton railroad company to apply for appraisal of land on complying with certain conditions," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 {
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Mat. Hutchinson	Noble	Speaker
Bailey	Dewey	Jenkins	Odell	Stephens
Baker	A. A. Dunlop	Joy	Palmer	Suffern
R. J. Baldwin	R. Dunlap	Kirkland	Peters	Thompson
Barrow	Edwards	Littlefield	Preston	Thorn
Barton	Fiero	Littlejohn	Randall	Ward
Beers	Germain	Lozier	Richards	Weed
Benedict	Gibbs	Mather	Robertson	Whipple
Bennett	Graham	May	Rowland	White
Bergen	Harpur	McGraw	Savage	D. Willis
Bostwick	Harris	Mills	Searing	J. E. Willis
Brust	Hatch	L. Miller	Seeley	Williams
Case	Hinkley	S. F. Miller	Sharp	J. S. Wood
Chesebro	Hoyle	Mitchell	Smalley	W. H. Wood
Cook	Hull	Morris		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for the punishment of assaults with dangerous weapons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Collins	Hull	Noble	Speaker
Bailey	Cushman	Mat. Hutchinson	Odell	Suffern
Baker	Dewey	Mos. Hutchinson	Palmer	Thompson
Barrow	A. A. Dunlop.	Jenkins	Peters	Thorn
Barton	R. Dunlap	Joy	Preston	Ward
Beers	Freeman	Kirkland	Richards	Whipple
Bennett	Germain	Littlefield	Robertson	White
Bergen	Gibbs	Littlejohn	Rowland	J. E. Willis
Bostwick	Graham	Lozier	Savage	Williams
Brust	Hall	Mather	Searing	Winne
Burnett	Harpur	May	Seeley	D. P. Wood
Case	Harris	McGraw	Sharp	J. S. Wood
Chesebro	Hinkley	Mills	Smalley	W. H. Wood
Cook	Hoyle	Mitchell		

69

For the negative,

Seeley

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend section sixty-two of the act entitled 'An act relative to town superintendents of common schools,' " coming up for its third reading.

On motion of Mr. Moseley Hutchinson,

Said bill was amended by adding a fourth section, worded as follows:

"This act shall take effect immediately."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Hoyle	Morris	Speaker
Bailey	Dewey	Hull	Noble	Stephens
Baker	A. A. Dunlop	Mat. Hutchinson	Odell	Suffern
Barrow	R. Dunlap	Mos. Hutchinson	Palmer	Thompson

Barton	Edwards	Jenkins	Peters	Thorn
Beers	Fiero	Joy	Preston	Ward
Benedict	Freeman	Kirkland	Randall	Weed
Bennett	Germain	Littlefield	Richards	Whipple
Bergen	Gibbs	Littlejohn	Robertson	White
Bostwick	Graham	Lozier	Rowland	J. E. Willis
Brust	Hall	Mather	Savage	Williams
Burnett	Harpur	McGraw	Searing	Winne
Case	Harris	Mills	Seeley	D. P. Wood
Cook	Hatch	S. F. Miller	Sharp	J. S. Wood
Collins	Hinkley	Mitchell	Sheeley	W. H. Wood 75

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to excise money in the county of Orleans," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
 { NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hull	Morris	Stephens
Bailey	Cushman	Mat. Hutchinson	Odell	Suffern
Baker	Dewey	Mos. Hutchinson	Palmer	Thompson
R. J. Baldwin	A. A. Dunlop	Jenkins	Peters	Thorn
Barrow	R. Dunlap	Joy	Preston	Ward
Barton	Edwards	Kirkland	Richards	Weed
Beers	Fiero	Littlefield	Robertson	Whipple
Benedict	Freeman	Littlejohn	Rowland	White
Bennett	Germain	Lozier	Searing	J. E. Willis
Bergen	Gibbs	Mather	Seeley	Williams
Bostwick	Graham	McGraw	Sharp	Winne
Burnett	Harpur	Mills	Sheeley	D. P. Wood
Case	Hatch	S. F. Miller	Smalley	J. S. Wood
Chesebro	Hinkley	Mitchell	Speaker	W. H. Wood
Cook	Hoyle			72

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. D. B. Wood, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to remove certain coarse salt works in the city of Syracuse," to report complete, reported the same complete without amendments, which port, was agreed to.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. D. P. Wood, and by unanimous consent,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to remove certain coarse salt works in the city of Syracuse."

"An act to erect the county of Canisteo."

"An act to loan money to the trustees of Oxford academy."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Robertson, from said committee, reported that the committee had gone through said first and third mentioned bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bills do have their third reading.

Mr. Robertson, from said committee, reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Morris, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 325, entitled "An act to amend an act passed April 14, 1852, entitled 'An act further to amend the act entitled 'An act authorising the incorporation of rural cemetery association,' passed April 27, 1847,'" and that it be referred to a select committee, with power to report complete.

By unanimous consent,

Mr. Cushman, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act incorporating the village of Danaville,' passed June 4, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend chapter 158 of the Laws of 1852, entitled 'An act to amend an act in relation to the incorporation of the village of Le Roy,' passed May 7, 1834," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Hoyle, from the committee on state prisons, to which was referred the bill entitled "An act to amend the several acts in relation to State prisons," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the petition of commissioners of the Pierpont, Pine and Watson road, praying for aid in the construction of their road, reported adversely to the prayer of the petitioners, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act to make the village of Hamilton a single road district," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act relating to highways in the town of Smithfield, in the county of Madison," to report sundry amendments, reported the same so amended.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. A. A. Dunlop, from the select committee to which was referred the bill entitled "An act to amend the act for the assessment and collection of taxes in the city of Albany," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Lozier called up for consideration his motion for the indefinite postponement of the bill for the promotion of medical science, and withdrew the same.

Mr. Lozier moved the previous question, it being upon agreeing with the report of the select committee upon the said bill.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree with the report of the select committee, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend the charter of the fire department of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Cumming, and by unanimous consent,

Said committee were empowered to report the aforesaid bill complete.

"An act to declare the village of Ovid, in the county of Seneca, a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Scott, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act constituting the village of Glens Falls, a separate road district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Noble, and by unanimous consent,

Said bill was referred to a select committee to report complete.

"An act to authorise the Sandburgh plank road company to borrow money, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the preservation of the harbor of New-York from encroachments and obstructions of the necessary navigation thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorise the alteration of the articles of association of the bank of Silver creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

On motion of Mr. W. H. Wood, and by unanimous consent,

Said committee were empowered to report the same complete.

The bill entitled "An act to amend the assessment and collection of taxes in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Hollenbeck	Mitchell	Speaker
Bailey	Cushman	Hoyle	Morris	Stephens
Baker	Dawson	Hull	Noble	Sterling
Barrow	Dewey	Mat. Hutchinson	Peters	Suffern
Barton	A. A. Dunlop	Mos. Hutchinson	Preston	Thompson
Beers	R. Dunlap	Jenkins	Randall	Thorn
Benedict	Edwards	Joy	Richards	Ward
Bennett	Fiero	Kirkland	Robertson	Weed
Bergen	Germain	Leigh	Rowland	Whipple
Boatwick	Gibbs	Littlefield	Savage	White
Brust	Graham	Lozier	Searing	D. Willis
Burnett	Hall	Maguire	Sessions	J. E. Willis
Case	Harpur	Mather	Seeley	Winne
Chesbro	Harris	May	Sharp	D. P. Wood
Collins	Hatch	McGraw	Sheeley	W. H. Wood
Conkling	Hinckley	S. F. Miller	Smalley	79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock p. m.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Randall, from the committee on railroads, to which was referred the petition of the stockholders of the Erie and New-York city railroad, praying for the discharge of a judgment against said railroad company, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of the Erie and New-York city railroad company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker announced as the business in order, the special order, it being the consideration of the Senate bill entitled as follows:

"An act for the suppression of intemperance," and the motions thereon now pending.

On motion of Mr. Littlejohn, and by unanimous consent,

The committee of the whole was discharged from the consideration of the bill entitled "An act to provide for the enlargement of the Erie, the Oswego and Cayuga and Seneca canals, and for the completion of the Black river and Genesee valley canals, and to provide for the payment of certain canal revenue certificates," and that the same be recommitted to the committee on canals.

On motion of Mr. Peters,

The bill entitled "An act for the suppression of intemperance," and the pending motions thereon, were made the special order for to-morrow at half-past three o'clock p. m.

On motion of Mr. W. H. Wood, and by unanimous consent,

The bill entitled an act for the relief of the Erie and New-York city railroad," was taken from the committee of the whole and referred to a select committee to report complete.

On motion of Mr. Mitchell,

At twenty minutes past six o'clock p. m., the House adjourned.

TUESDAY, MARCH 21, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter..

The minutes of yesterday, were read and approved.

On motion of Mr. Sterling, and by unanimous consent,

The bill entitled "An act for the relief of the village of Poughkeepsie," was ordered engrossed for a third reading.

Mr. Littlejohn, from the committee on canals, to which was re-committed the bill entitled "An act for the enlargement of the Erie, the Oswego, and the Cayuga and Seneca canals, and for the completion of the Black River and Genesee Valley canals, and to provide for the payment of certain canal revenue certificates, and for other purposes," reported the same with amendments.

Mr. Speaker presented a communication from Mr. B. P. Johnson, transmitting the annual report of the New-York State agricultural Society, with the proceedings of the executive committee and abstracts of the reports of county societies for 1853, which was read and referred to the committee on agriculture.

Mr. Mathias Hutchinson offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That fifty copies of the report of the New-York State Agricultural Society be printed for each member, officer and reporter of the Legislature, one thousand copies for the use of the society, and forty copies for each county in the State for the use of the agricultural societies in said county, and that the same be printed and bound under the direction of the executive committee of the New-York State Agricultural Society, in a manner similar to the reports of previous years.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the city inspector of the city and county of New-York, of the date of March 13, 1854, in answer to a resolution in relation to failures to comply with the registry act by those having performed marriage ceremonies since April 2, 1853.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal an act entitled 'An act to provide for the completion of the Erie canal enlargement and the Genesee Valley and Black River canals,' passed July 10, 1851."

"An act for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals, and for the completion of the Black River and Genesee Valley canals, and to provide for the payment of certain canal revenue certificates, and for other purposes."

"An act prescribing regulations in regard to the management of the canals, and for other purposes."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. S. F. Miller, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. F. Miller, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same without amendment.

Mr. W. H. Wood moved to amend said bill by striking out of the 15th line, in the 2d section, "\$1,841,000," and inserting

06,000," and out of the 17th line in said section "\$179,000," inserting "\$168,000," and by substituting in the 18th and lines "\$106,000" for "\$101,000," and in the 20th line "000" for "\$49,000," and in the 21st line "\$100,000" for "000."

On motion of Mr. W. H. Wood,
The motion and report were laid on the table.

S. F. Miller, from said committee, reported that the committee had gone through said third mentioned bill, and agreed same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.
A message from the Senate was received and read, informing they had concurred in the amendments of the Assembly, bill entitled as follows:

An act providing for the appointment of an additional number of clerks public and commissioners of deeds in the city of New-

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing they had passed, without amendment, the bills entitled as follows to wit:

An act to amend an act entitled 'An act to provide for the assessment and collection of taxes in the city of Albany,' passed March 23, 1850."

An act to extend the time for the collection of taxes in the city of Lockport, in the county of Niagara, and Fallsburgh, in the county of Sullivan, and State of New-York."

Ordered, That the Clerk deliver said bills to the Governor.

Speaker announced as the business in order the special order being the consideration of the bill entitled "An act to authorize the formation of town mutual insurance companies."

The House then resolved itself into a committee of the whole on said bill:

After some time spent thereon, Mr. Speaker resumed the chair and Mr. R. Dunlap, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

Speaker announced the special order as the business in order.

On motion of Mr. Peters,
The present order of business was laid upon the table for half an hour.

Mr. Hutchinson presented the petition of inhabitants of Tompkins and Seneca counties, relative to the taxation of real estate, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Germain presented the remonstrance of 10,000 citizens of Buffalo, New-York, against the temperance bill, which was read and laid on the table.

Mr. Cumming presented a remonstrance of the captains of police in the city of New-York, against making the chief of police elective by the people, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Burgess presented the remonstrance of owners of property, inhabitants and electors of the town of Salisbury, Herkimer co., against loaning the credit of said town to take stock in a proposed railroad, which was read and referred to the committee on railroads.

Mr. Bailey presented the remonstrance of citizens of Steuben county, against any law being passed authorizing the Canal Commissioners to permit any of the waters of Chemung canal being taken for the use of Junction canal company at Elmira, which was read and referred to the committee on canals.

Mr. Dewey presented the remonstrance of stockholders of the Watertown and Rome railroad company, against allowing the directors of said company to endorse the bonds of the Potsdam railroad.

Mr. Fiero presented the remonstrance of inhabitants of the town of Athens, against conferring additional powers on the justices of the peace of said town, which was read and referred to the committee on the internal affairs of towns and counties.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, to the bill entitled as follows:

"An act to amend and correct an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 4, 1853."

Mr. Speaker presented a communication from the Attorney General of the State, in answer to a resolution inquiring whether the sums recovered against the agents of the several prisons of this State for carelessness, negligence or default of the officers, agents or servants of said prison, are collectable upon the official bonds of said agent, or otherwise.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to incorporate the State Teachers' Association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of West Troy," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the petition of Hobart Free College, praying for an act to amend their charter, reported, and asked and obtained leave to bring in a bill entitled "An act to amend the charter of Hobart Free College," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sharp, from the select committee, to which was referred the bill entitled "An act to incorporate the Turnverein, in the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to amend an act passed April 14, 1852, entitled 'An act further to amend the act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Weed, from the select committee, to which was referred the bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Kinney, from the select committee, to which was referred the Senate bill entitled "An act to amend the charter of the fire department of the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Fiero, from the committee on banks, to which was referred the bill entitled "An act to authorize the alteration of the articles of association of the Bank of Silver Creek," to report complete, reported the same complete without amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of Croton water, in the city and county of New-

York,' passed July 20, 1853," to report complete, reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Munroe, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the village of Lancaster," to report complete, reported the same complete with amendments, which report was agreed to.

On motion of Mr. Munroe,

Ordered, That said bill be read a third time.

Mr. Searing, from the committee on railroads, to which was referred the bill entitled "An act for the relief of the Erie and New-York city railroad company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act to allow Peter Comstock pay for services rendered in improving the Ausable river in the county of Essex," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act for the improvement of the south branch of the Ausable river, Essex county," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act in relation to the police justices in the city of Albany," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act authorising the canal appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the destruction of a dam on the Oneida river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act authorising the village of Cherry Valley to collect a tax of \$250, directed to be raised at the annual meeting of the inhabitants thereof in 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorise the formation of a new election district in the town of Connewango, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. A. A. Dunlop, and by unanimous consent,
Ordered, That said bill be read a third time.

"An act to authorise the common council of the city of Hudson to borrow money to erect a city hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message from the Senate was received and read, informing that they had concurred, with an amendment striking out "25," and inserting "12," in the resolution in the words following :

Resolved, (if the Senate concur,) That 25 copies of the annual report of the Institution for the Deaf and Dumb be printed for the use of each member of the Legislature and the officers entitled by the rule to the same, and 750 copies for the use of the institution.

Mr. Hatch gave notice that he would at an early day ask leave to introduce a bill to authorise keepers of poor houses in this State to administer oaths in certain cases.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act in relation to the cemetery grounds of the Benai Jeshurun congregation, situated in Kings and Queens counties," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent,

Said bill was referred to a select committee to report complete.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act further to amend the acts in relation to insurances on property in this State, made by individuals and associations unauthorised by law,' passed March 30, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sterling offered, for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the heirs of the Hon. P. P. Monfort, deceased, late a member of this House, be entitled to receive pay for his services as such member as for a full term, and that the said amount be paid over to his son, Henry Monfort, in full for said services, and that the same be paid by the Clerk upon the certificate of the Speaker.

Ordered, That said resolution be laid on the table.

Mr. Peters offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the use of the Assembly Chamber be granted to the trustees of the People's College on Wednesday evening, April 5, if there be no evening session.

Ordered, That said resolution be laid on the table.

Resolved, That hereafter no member shall be permitted to speak at any one time more than 10 minutes, without leave of the House, upon the bill for the suppression of intemperance.

Ordered, That said resolution be laid on the table. .

Mr. Speaker announced as the business in order the special order, it being the consideration of the Senate bill entitled "An act for the suppression of intemperance," and the motions thereon pending.

By unanimous consent,

Mr. Ward presented three several remonstrances, signed respectively by 14,000, 15,000, and 650 citizens of the city of New-York, against the temperance bill, which were read and laid on the table.

On motion of Mr. Lozier,

At ten minutes past six o'clock, the House adjourned.

WEDNESDAY, MARCH 22, 1854. .

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The minutes of yesterday were read and approved.

Mr. Speaker presented a communication from the Comptroller in answer to a resolution of inquiry passed March 17, 1854, asking information in relation to the subject of a petition of the board of supervisors of Clinton county, which was read and referred to the committee on the judiciary.

On motion of Mr. Weed,

Mr. Speaker was required to appoint a substitute for Mr. Payne on the canal committee, during his absence.

On motion of Mr. Mitchell, and by unanimous consent,

Resolved, That a respectful message be sent to the Hon. the Senate, requesting them to transmit to this House, the papers on file in the case of Peter Clogher, a claimant for canal damages.

By unanimous consent,

Mr. W. H. Wood asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the Attica and Allegany valley railroad,' passed July 21, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act relative to the construction of railroads in cities," reported, that the committee had examined

said bill, and saw no reason why the same should not be passed into a law.

• *Ordered*, That said bill be committed to the committee of the whole.

Mr. Speaker announced as the business in order, the special order, it being the consideration of the bill entitled as follows:

"An act to permit the Sacketts Harbor and Saratoga railroad company to run a portion of their road through a portion of the counties of Warren and Essex."

Mr. Randell moved to recommit said bill with the following specific amendments:

§ 2. All conveyances authorized by the act of April 10, 1848, entitled an act to incorporate the Sackett's Harbor and Saratoga railroad company, shall be upon the express condition that such conveyance shall be void, and the land shall revert to the State, unless the said company shall complete the entire road, and have it in running order by the first day of May, 1860.

§ 3. All subscriptions of stock and money paid and expended by those opposed to the change of the route, shall be released and refunded; and all donations of land made by individuals opposed to such change of route, shall be released and given up before commencing to build on the Warren and Essex route.

Mr. Burnett moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the third reading of said bill, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 36 }

Those who voted in the affirmative, are,

Angle	Cook	Harris	Mallory	Sessions
Aiken	Conkling	Hatch	Martin	Seeley
Belley	Cumming	Hinkley	Mather	Sill
S. Baldwin	Cushman	Howell	May	Smalley
Barrow	Dewey	Mat. Hutchinson	McGraw	Speaker
Barton	A. A. Dunlop	Mos. Hutchinson	McMurray	Sterling
Baucus	R. Dunlap	Jenkins	Nelson	Suffern
Benedict	Edwards	Joy	Noble	Thorn
Bergen	Fiero	Kinney	Palmer	Townsend
Boardman	Freeman	Kirkland	Peters	Ward
Bozwick	Germain	Leigh	Richards	Weed

Boyd
Brust
Burnett
Chesebro

Gibbs
Gorham
Graham
Harpur

Littlefield
Littlejohn
Maguire

Robertson
Savage
Searing

Wilder
J. E. Willis
Winne

72

Those who voted in the negative are,

Baker
R. J. Baldwin
Beers
Bennett
Burgess
Case
Collins
Cost

Crocherson
Dawson
Ferguson
Gleason
Gott
Holdridge
Hoyle

Hull
Loxter
Mills
G. Miller
L. Miller
S. F. Miller
Munroe

Odell
Randall
Richardson
Rose
Rowland
Sharp
Sheeley

Underwood
Whipple
White
Whitman
Wilson
D. Willis
W. H. Wood

36

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Preston was excused from voting.

Mr. Benedict moved a reconsideration of the vote just taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the negative, as follows :

{ AYES 26 }
{ NOES 73 }

Those who voted in the affirmative are,

Angle
Baker
R. J. Baldwin
Beers
Bennett
Collins

Cost
Crocherson
Dawson
Gleason
Gott

Hoyle
Mills
G. Miller
L. Miller
S. F. Miller

Munroe
Odell
Randall
Rose
Rowland

Sharp
Sheeley
Sill
Whipple
Wilson

26

Those who voted in the negative are,

Aitken
Bailey
S. Baldwin
Barrow
Barton
Bauchs
Benedict
Bergen
Boardman
Bostwick
Boyd
Brust
Burnett
Case
Chesebro

Clinton
Cook
Conkling
Cumming
Cushman
Dewey
A. A. Dunlop
R. Dunlap
Edwards
Fiero
Freeman
Germain
Gibbs
Graham
Harpur

Harris
Hatch
Hinkley
Holdridge
Howell
Mat. Hutchinson
Mos. Hutchinson
Jenkins
Joy
Kinney
Kirkland
Littlefield
Maguire
Mallory

Mather
May
McGraw
McMurray
Nelson
Palmer
Peters
Richards
Richardson
Savage
Searing
Sessions
Seeley

Smalley
Speaker
Sterling
Suffern
Thorn
Townsend
Underwood
Ward
Weed
Wilder
D. Willis
J. E. Willis
Winne
W. H. Wood

72

Mr. Peters presented the remonstrance of sundry inhabitants of Batavia, Genesee county, in favor of a law regulating the issue of safety fund bank notes, which was read and laid on the table.

Mr. Mallory moved to lay the present order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mallory, and it was determined in the negative.

Cost presented the petition of the Vienna and Clifton park company, praying for a law to allow them to use gravel and stone, instead of plank, in repairing said road, which was read and laid on the table.

Baucus presented the petition of sundry inhabitants of Ta and Warren counties, to make the Corinth and Luzerne a free bridge, which was read and referred to the committee on roads and bridges.

Sniffen presented the petition of inhabitants of the town of Wotton, county of Suffolk, praying for the separation of the Superintendent of Schools from that of Secretary of State, which was read and laid on the table.

Joy presented two remonstrances of 50 inhabitants of the town of Lansing, against setting off any portion of the county of Orleans, in the erection of a new county, which were read and referred to the committee of the whole when on the bill on that subject.

Case presented the petition of sundry citizens of New-Hartford and Oneida county, for an amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Gleason presented the petition of the inhabitants of Fulton and Montgomery counties, praying for the passage of a law for the suppression of illegal currency, which was read and laid on the table.

Boardman presented the petition of Giles K. Brown for an amendment to allow the canal appraisers to investigate claims for damage, which was read and referred to the committee on claims.

Boardman presented the petition of Gurdon Hurlburt for an amendment to authorise the correction of a mistake in the award of canal commissioners, which was read and referred to the committee on claims.

— presented 14 petitions for the passage of the liquor law, which was read and laid on the table.

Boyd, from the committee on the petitions of aliens, to which was referred the petition of Mary Moreland, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of Mary Moreland," which was read the first time, and by unanimous consent was also read the second time.

On a motion of Mr. Sterling, and by unanimous consent, it was ordered, That said bill be engrossed for a third reading.

Burnett, from the committee on the judiciary, reported a bill, and asked and obtained leave to bring in a bill entitled "An act to enable the Comptroller to credit back to the county of Orleans certain taxes on nonresident lots in said county, heretofore assessed and cancelled," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hoyle, and by unanimous consent,
Said bill was referred to the judiciary committee, to report complete.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act authorising the village of Cherry Valley to collect a tax of \$250 directed to be raised at the annual meeting of the inhabitants thereof, in 1852," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Jenkins, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Angle, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the third article of the first title of chapter five, part second of the Revised Statutes," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Angle, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act authorising the canal appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the obstruction of a dam on the Oneida river," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Edwards, from the committee on railroads, to which was referred the bill entitled "An act to amend the general railroad law, in reference to making up passenger trains," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Barton, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act relative to a toll gate on the De Ruyter plank road," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Barton, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

Mr. Sessions, from the committee on ways and means, to which was referred the Senate bill entitled "An act for loaning money to Wayne county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Noble, from the select committee to which was referred the bill entitled "An act constituting the village of Glens Falls a separate road district," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Sterling, from the select committee, to which was referred the bill entitled "An act authorising and requiring the county of Dutchess to pay the county of Putnam the expenses of the trial of William Scmers for murder," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Savage asked and obtained leave to introduce a bill entitled "An act to authorise the opening of a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Savage, and by unanimous consent,

Said committee were empowered to report the same complete.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows:

"An act to provide for the enrolment of the militia and the organisation of uniform corps, and the discipline of the military forces of the State of New-York," to Messrs. Harris, Angle, Peters, Fiero and S. F. Miller.

"An act to authorise the Hallett's Cove turnpike bridge company to borrow twenty-five thousand dollars to build their bridge," to Messrs. Searing, Robertson and Holdridge.

"An act to authorise the village of Malone to elect a constable," to Messrs. Ferguson, Case and Sill.

"An act to close a part of the road of the Ravenswood, Hallett's Cove and Williamsburgh turnpike company, at Green Point, in Kings county," to Messrs. Bergen, Backus and Morris.

"An act to incorporate the Brooklyn juvenile association," to Messrs. Bergen, Backus and Morris.

"An act to amend an act entitled 'An act relative to railroads on Long Island,' " to Messrs. Bergen, Searing and G. Miller.

"An act to incorporate a savings bank at Elmira," to Messrs. Randall, Savage and Palmer.

"An act to amend chapter ten hundred and twenty-four of the Laws of 1853, entitled 'An act to amend the several acts relating to the powers and duties of Commissioners of Emigration, and for the regulation of the marine hospital,' passed April 13, 1853," to Messrs. Peters, Munroe and Cumming.

"An act to provide for the construction and laying out a road from Dickinson Centre through townships Nos. 10, 13, &c, in the county of Franklin," to Messrs. Ferguson, Littlefield and Beers.

"An act for the relief of the Brooklyn female academy," to Messrs. Morris, Burnett and Dewey.

"An act to amend title one, part first of the Code of Procedure," to Messrs. Morris, Angle and Mallory.

"An act to amend an act entitled 'An act to incorporate the firemen of the village of Brooklyn,' passed April 16, 1823," to the Kings county delegation.

"An act relative to the support of the poor of the county of Schenectady," to Messrs. Winne, Aitken and Scott.

"An act to authorise the supervisors of Schenectady, to levy a tax of five hundred dollars annually on the town of Pottsdam, for highway purposes in that town," to Messrs. Winne, Kinney and Preston.

"An act allowing the continued use of copartnership names, in certain cases," to Messrs. Conkling, W. H. Wood and Townsend.

"An act in relation to the commutation of taxes in the county of Albany," to Messrs. Boardman, Dewey and Nelson.

"An act to provide for the sale of the real estate and other property belonging to the poor fund of Cayuga county, and to abolish the office of superintendent of poor thereof," to Messrs. Moseley Hutchinson and Mathias Hutchinson.

"An act to amend an act to incorporate the Syracuse city water works company, passed April 5, 1840," to Messrs. Richardson, D. P. Wood, Munroe and Kinney.

"An act to enable the children of Robert Borell and Sarah, his wife, to take and hold real estate," to Messrs. Burnett and D. Willis.

"An act to authorise Andrew Coats to take, hold and convey real estate," to Messrs. Baker, Littlefield and Cushman.

"An act to amend the act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," to the committee on railroads.

"An act in relation to the moneys levied by law on masters, mates, mariners and seamen, arriving at the city and port of New-York, and the disposal of the same by the trustees of the seamen's fund and retreat, and by the trustees of the mariners' family asylum," to Messrs. Cumming, Ward and Richards.

"An act to enable Ann O'Leary to take, hold and convey certain real estate, located in the county of Monroe," to Messrs. Boyd, Angle and Payne.

"An act to enable Elizabeth Turpin to take, hold and convey certain real estate," to Messrs. Boyd, Angle and Payne.

The bill entitled "An act for improving the old State Hall for the better arranging of the cabinet of natural history, and for the accommodation of the New-York State agricultural society and its agricultural museum," coming up for its third reading.

Mr. D. P. Wood moved to lay said bill upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the negative

Mr. D. P. Wood moved to recommit said bill, with instruction to make such amendments thereto as shall bring the provisions of such bill within the plans and specifications found in the report of the Commissioners of the Land Office.

Pending consideration thereof, at noon,

Mr. Speaker announced the special order, it being the third reading of the Senate bill, entitled "An act for the suppression of intemperance."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

} AYES 78 {
} NOES 42 {

Those who voted in the affirmative, are,

Bailey	Fiero	Jenkins	S. F. Miller	Sterling
R. J. Baldwin	Freeman	Joy	Mitchell	Sniffen
S. Baldwin	Gibbs	Kinney	Munroe	Thorn
Barrow	Gleason	Kirkland	Noble	Townsend
Barton	Gorham	Legg	Palmer	Underwood
Beers	Hall	Leigh	Peters	Ware
Benedict	Harpur	Littlefield	Randall	Weed
Bennett	Harris	Littlejohn	Richardson	Wilson
Bergen	Hatch	Lozier	Robertson	Wilder
Boardman	Hinkley	Martin	Rose	D. Willis
Boyd	Holdridge	Mather	Rowland	J. E. Willis
Burnett	Howell	May	Savage	Williams
Case	Hoyle	McGraw	Scott	Winne
Chick	Hull	McMurray	Sessions	D. P. Wood
Conkling	Mat. Hutchinson	G. Miller	Sill	W. H. Wood
Cumming	Mos. Hutchinson	L. Miller		

78

Those who voted in the negative are,

Angle	Collins	Ferguson	Nelson	Smalley
Aitken	Cost	Germain	Odell	Speaker
Baker	Crocheron	Gott	Preston	Stephens
Bancus	Cushman	Graham	Richards	Thompson
Bastwick	Dawson	Maguire	Searing	Ward
Borst	Dewey	Mallory	Seeley	Whipple
Burgess	A. A. Dunlop	Mills	Sharp	White
Chesbro	R. Dunlap	Morris	Sheeley	Whitman
H. Lion	Edwards			

42

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

Mr. Crocheron asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse, and it was determined in the negative.

Mr. Speaker announced as the business in order, the special order, it being the third reading of the bill entitled "An act to divide the county of Steuben into two jury districts."

Mr. Williams moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the negative.

Mr. Williams moved to recommit said bill, with instructions to amend so as not to affect any legal proceedings already commenced in the matter.

Mr. Bailey moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

{ AYES 54 }
{ NOES 15 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Crocheron	Hinkley	Mills	Stephens
Bailey	Cumming	Howell	Mitchell	Suffern
S. Baldwin	Dewey	Mat. Hutchinson	Munroe	Thorn
Barrow	R. Dunlap	Kinney	Nelson	Townsend
Benedict	Edwards	Kirkland	Noble	Underwood
Boardman	Freeman	Leigh	Odell	Ward
Bostwick	Germain	Littlefield	Peters	Whipple
Boyd	Gibbs	Maguire	Richardson	D. Willis
Burnett	Graham	Mallory	Savage	J. E. Willis
Cook	Harris	Mather	Sceley	Winne
Conkling	Hatch	McMurray	Sill	

54

Those who voted in the negative are,

Barton	Cost	Gott	Jenkins	Rose
Beers	Dawson	Holdridge	May	Whitman
Clinton	Gleason	Mos. Hutchinson	Randall	Williams

15

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 13 }

Those who voted in the affirmative are,

Angle	Crocheron	Hinkley	McGraw	Speaker
Allen	Cumming	Howell	McMurray	Stephens
Ailey	Cushman	Hoyle	Mills	Strong
Arker	Dawson	Mat. Hutchinson	G. Miller	Suffern
Baldwin	Dewey	Mos. Hutchinson	Mitchell	Thompson
Brown	Edwards	Joy	Minroe	Thorn
Benedict	Ferguson	Kinney	Nelson	Townsend
Bennett	Fiero	Kirkland	Noble	Ward
Bergen	Freeman	Leigh	Peters	Wilder
Bewick	Germain	Littlefield	Richardson	D. Willis
Byrd	Gibbs	Littlejohn	Savage	J. E. Willis
Carrett	Graham	Maguire	Sessions	Winne
Cesbro	Hall	Mallory	Seeley	D. P. Wood
Cook	Harris	Mather	Sill	W. H. Wood
Corklog	Hatch			

72

Those who voted in the negative are,

Arton	Cost	Holdridge	Rose	Whitman
Cardman	R. Dunnlap	Jenkins	Underwood	Wilson
Caso	Gorham	May	Whipple	Williams
Cinton	Gott	Ocell		

18

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Peters,
At half-past one o'clock p. m., the House took a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The Senate bill entitled "An act to incorporate private and family cemeteries," was read a third.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Hinkley	G. Miller	Suffern
Allen	Cumming	Hoyle	Mitchell	Thompson
Ailey	Cushman	Hull	Palmer	Thorn
B. Baldwin	R. Dunlap	Mat. Hutchinson	Peters	Townsend
Beers	Edwards	Mos. Hutchinson	Preston	Underwood
Benedict	Fiero	Jenkins	Randall	Ward
Bennett	Freeman	Kinney	Richardson	Weed
Bergen	Germain	Kirkland	Robertson	White
Beardman	Gibbs	Leigh	Savage	Whitman
Byrd	Gorham	Littlefield	Sessions	Wilder
Burger	Gott	Mather	Seeley	J. E. Willis

Chesebro	Hall	May	Smalley	Winne
Clinton	Harpur	McMurray	Speaker	W. H. Wood
Cook	Hatch	Mills	Sterling	69

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows, to wit:

"An act to confirm the annual election in the village of Baldwinsville."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act to amend an act entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' passed March 23, 1853," coming up for its third reading,

Mr. Mills moved to recommit said bill with instructions to strike out the 2d section thereof.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mills, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Chesebro	Gott	Magnire	Sooley
Bailey	Clinton	Hall	Mallory	Sheeley
R. J. Baldwin	Cook	Harpur	Mather	Sill
S. Baldwin	Collins	Harris	McGraw	Smalley
Baucus	Cost	Hinkley	McMurray	Suffern
Beers	Crocherop	Holdridge	G. Miller	Thompson
Benedict	Cumming	Howell	Mitchell	Thorn
Bennett	Cushman	Hoyle	Nelson	Townsend
Bergen	A. A. Dunlop	Mos. Hutchinson	Odell	Underwood
Boardman	R. Dunlap	Jenkins	Palmer	Whipple
Bostwick	Ferguson	Joy	Randall	Wilson
Boyd	Fiero	Kinney	Richardson	Wilder
Brust	Freeman	Kirkland	Robertson	J. E. Willis
Burgess	Germain	Littlefield	Rowland	Winne
Burnett	Gibbs	Lozier	Sessions	W. H. Wood
Case	Gleason			77

Those who voted in the negative are,

Conkling	Dawson	Mills	Manroe	Peters	5
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, the bill entitled as follows:

"An act in relation to plank roads and turnpike roads."

Ordered, That the Clerk return said bill to the Senate.

The bill entitled "An act declaring Oswegatchie river a highway, and regulating the passage of logs and lumber down the same, and for the improvement of said river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 88 }
{ NOES 01 }

Those who voted in the affirmative are,

Conkling	Harris	McGraw	Sessions
Crocheron	Hatch	McMurray	Seeley
Cumming	Hinkley	Mills	Sill
Cushman	Holdridge	G. Miller	Smalley
Dawson	Howell	Mitchell	Speaker
Dewey	Hoyle	Morris	Stephens
A. A. Dunlop.	Hull	Munroe	Suflern
R. Dunlap	Mat. Hutchinson	Noble	Thompson
Edwards	Jenkins	Odell	Thorn
Ferguson	Kinney	Palmer	Ward
Fiero	Kirkland	Peters	Weed
Freeman	Leigh	Preston	Whipple
German	Littlefield	Randall	Wilson
Gibbs	Littlejohn	Richardson	Wilder
Gleason	Lozier	Robertson	J. E. Willis
Gorham	Maguire	Rowland	Winno
Hall	Mallory	Savage	D. P. Wood
Harpur	May		

88

For the negative,

Thitman 1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act declaring a part of West Canada creek, and its branches, a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said streams," was read a third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Conkling	Hull	G. Miller	Stephens
Bailey	Crocheron	Mat. Hutchinson	S. F. Miller	Suffern
S. Baldwin	Cumming	Mos. Hutchinson	Mitchell	Thompson
Barrow	Cushman	Jenkins	Morris	Thorn
Barton	Dawson	Kinney	Munroe	Townsend
Beers	A. A. Dunlop	Kirkland	Noble	Underwood
Benedict	R. Dunlap	Leigh	Palmer	Ward
Bennett	Edwards	Littlefield	Peters	Weed
Bergen	Ferguson	Littlejohn	Preston	Whipple
Boardman	Fiero	Lozier	Richardson	White
Bostwick	Freeman	Maguire	Robertson	Wilson
Burgess	Germain	Mallory	Rowland	Wilder
Burnett	Gleason	Mather	Savage	J. E. Willis
Case	Hall	May	Sessions	Williams
Chesebro	Harris	McGraw	Seeley	Winne
Cook	Hinkley	McMurray	Sill	D. P. Wood
Collins	Howell	Mills	Speaker	W. H. Wood 85

For the negative,

Harpur

1

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the improvement of the old State Hall, for the better arranging of the cabinet of natural history, and for the accommodation of the New-York State Agricultural Society and its agricultural museum," and the motions thereon pending, coming up for consideration,

Mr. Mathias Hutchinson moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 15 }

Those who voted in the affirmative are,

Angle	Collins	Harpur	Mills	Stephens
Bailey	Cost	Harris	G. Miller	Sterling
R. J. Baldwin	Crocheron	Hatch	S. F. Miller	Thorn
S. Baldwin	Cumming	Hinkley	Mitchell	Townsend
Barrow	Cushman	Howell	Morris	Ward
Barton	Dawson	Hoyle	Noble	Weed
Bancus	Dewey	Mat. Hutchinson	Odell	Whipple
Beers	A. A. Dunlop	Jenkins	Payne	Wilson
Benedict	Edwards	Joy	Peters	Wilder
Bennett	Ferguson	Kirkland	Randall	J. E. Willis
Bergen	Fiero	Leigh	Robertson	Williams
Boyd	Germain	Maguire	Rowland	Winne

Burgess	Gibbs	Mather	Savage	J. S. Wood
Case	Gott	McGraw	Seeley	W. H. Wood
Chesebro	Hall	McMurray	Sill	74

Those who voted in the negative are,

Atken	Clinton	Holdridge	May	Snffern
Bostwick	Conkling	Mos. Hutchinson	Munroe	White
Crust	R. Dunlap	Littlejohn	Palmer	D. P. Wood 1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to improve the Grass river in St. Lawrence county for floating timber and sawlogs, and to declare the same a public highway," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Hall	Mather	Seeley
Atken	Cook	Harpur	May	Speaker
Bailey	Collins	Harris	McGraw	Stephens
C. J. Baldwin	Conkling	Hinkley	Mills	Sterling
C. Baldwin	Cumming	Holdridge	G. Miller	Suffern
Barrow	Cushman	Howell	S. F. Miller	Thompson
Barton	Dawson	Hoyle	Mitchell	Underwood
Baucus	Dewey	Hull	Morris	Ward
Beers	A. A. Dunlop	Mos. Hutchinson	Noble	Weed
Benedict	Edwards	Jenkins	Palmer	Whipple
Bennett	Ferguson	Joy	Peters	Wilson
Bergen	Fiero	Kinney	Preston	Wilder
Boardman	Freeman	Kirkland	Randall	D. Willis
Bostwick	Germain	Leigh	Richardson	J. E. Willis
Boyd	Gibbs	Littlejohn	Robertson	Winne
Brust	Gleason	Lozier	Rose	D. P. Wood
Burgess	Gorham	Maguire	Sessions	W. H. Wood
Burnett	Gott	Mallory		88

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for raising moneys upon the town of Lyons, to build a bridge therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Case	Gorham	May	Smalley
R. J. Baldwin	Chesebro	Gott	McGraw	Speaker
S. Baldwin	Cook	Harpur	McMurray	Sterling
Barrow	Collins	Harris	Mills	Suffern
Barton	Conkling	Hinckley	G. Miller	Thompson
Baucus	Crocheron	Howell	Mitchell	Underwood
Beers	Cumming	Hoyle	Morris	Ward
Benedict	Dawson	Mat. Hutchinson	Munroe	Weed
Bennett	Dewey	Mos. Hutchinson	Odell	Whipple
Bergen	A. A. Dunlop	Jenkins	Palmer	Whitman
Boardman	Ferguson	Kinney	Peters	Wilson
Bostwick	Fiero	Leigh	Richardson	Wilder
Boyd	Freeman	Littlefield	Robertson	J. E. Willis
Brust	Germain	Littlejohn	Rose	D. P. Wood
Burgess	Gibbs	Maguire	Sessions	J. S. Wood
Burnett	Gleason	Mallory	Seeley	W. H. Wood

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act authorising the trustees of the Brownville Female Seminary to sell and dispose of their corporate property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Cook	Graham	Mather	Stephens
Bailey	Collins	Hall	May	Sterling
S. Baldwin	Conkling	Harpur	McMurray	Suffern
Barrow	Cost	Harris	Mills	Thompson
Barton	Crocheron	Hinkley	G. Miller	Thorn
Baucus	Cumming	Hull	Mitchell	Townsend
Beers	Cushman	Mat. Hutchinson	Morris	Underwood
Benedict	Dawson	Mos. Hutchinson	Munroe	Ward
Bennett	Dewey	Jenkins	Palmer	Weed
Bergen	A. A. Dunlop	Joy	Peters	Whipple
Boardman	Ferguson	Kinney	Preston	Wilson
Bostwick	Fiero	Kirkland	Richardson	Wilder
Boyd	Freeman	Leigh	Robertson	D. Willis
Brust	Germain	Littlefield	Rowland	J. E. Willis
Burgess	Gibbs	Littlejohn	Savage	Williams
Burnett	Gleason	Lozier	Seeley	Winn
Case	Gorham	Maguire	Smalley	D. P. Wood
Chesebro	Gott	Mallory	Speaker	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for inquiring into the causes of fires, and to prevent incendiarism," coming up for its third reading,

Mr. Clinton moved to recommit said bill with instructions to amend the same by excepting the city of New-York from its provisions.

Mr. Conkling moved to lay the subject on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the affirmative.

The bill entitled "An act for the incorporation of companies formed to navigate the lakes, rivers, and canals," coming up for third reading,

Mr. Morris moved to recommit said bill with instructions to amend the same by striking out the word "canal," wherever it occurs in this bill.

Mr. Clinton moved to lay the subject on the table.

On motion of Mr. Bergen,

At half-past six o'clock, the House adjourned.

THURSDAY, MARCH 23, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday, were read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, wit:

"An act to increase the capital stock of the Buffalo, Corning and New-York city railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the office of keeper of the poorhouse, in the county of Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Freeman, and by unanimous consent, Said committee were empowered to report the same complete.

"An act to authorise the seventh regiment of militia to found and hold a regimental armory," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

On motion of Mr. Ward, and by unanimous consent, Said committee were empowered to report the same complete.

"An act to provide for the appraisement of canal damages to Thomas Countryman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend an act entitled 'An act for the assessment and collection of taxes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act for the appraisal and payment of damages of H. Baker, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to provide for carrying out and opening a road in township No. 8 to township No. 10, old military road tract, Franklin county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Ferguson, and by unanimous consent, said committee was empowered to report the same complete.

"An act to authorise the city of Brooklyn to borrow money to erect an armory," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

On motion of Mr. Morris, and by unanimous consent, said committee were empowered to report the same complete.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to authorise the Commissioners of the Land Office to sell certain lands, and to convey certain lands under water."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting therefor, as follows :

} AYES 89 }
} NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Mitchell	Speaker
Aitken	Cumming	Hull	Morris	Stephens
Bailey	Cushman	Mat. Hutchinson	Munroe	Suffern
S. Baldwin	Dawson	Mos. Hutchinson	Nelson	Thompson
Barton	A. A. Dunlop	Jenkins	Odell	Thorn
Baucus	Elwards	Kinney	Palmer	Townsend
Boers	Ferguson	Kirkland	Peters	Underwood
Benedict	Fiero	Leigh	Richardson	Ward
Bennett	Freeman	Littlefield	Robertson	Weed
Bergen	Gibbs	Littlejohn	Rose	Whipple
Boardman	Gorham	Lozier	Rowland	White
Botwick	Graham	Maguire	Savage	Whitman
Bugas	Hall	Martin	Scott	Wilson
Burnett	Hurper	May	Searing	J. E. Will
Coe	Harris	McGraw	Sessions	Winne
Chesbro	Hatch	McMurray	Seely	D. P. Wood
Clinton	Hinkley	Mills	Sill	W. H. Wood
Cook	Howell	S. F. Miller	Smalley	

ed, That the Clerk return said bill to the Senate, with a informing that the Assembly have concurred in said nents, and amended the same accordingly.

essage from the Senate was received and read, informing y had passed, with the amendments therewith delivered, entitled as follows:

act to incorporate the Sixpenny Savings bank, in the city ester."

peaker put the question whether the House would agree aid amendments, and it was determined in the affirmative, ty of all the members elected to the Assembly voting in ereof, as follows:

{ AYES 82 }
{ NOES 00 }

ose who voted in the affirmative are,

Conkling	Hoyle	Mitchell	Stephens
Crocheron	Hull	Morris	Snifern
Cumming	Mos. Hutchinson	Munroe	Thompson
Cushman	Jenkins	Noble	Thorn
Dawson	Joy	Palmer	Townsend
A. A. Dunlop	Kinney	Peters	Underwood
Edwards	Kirkland	Preston	Ward
Ferguson	Leigh	Richardson	Weed
Fiero	Littlefield	Robertson	Whipple
Freeman	Maguire	Rowland	Whitman
Germain	Mather	Scott	Wilson
Gibbs	McGraw	Sessions	Wilder
Gorham	McMurray	Seeley	J. E. Willis
Hall	Mills	Sill	Winn
Harpur	L. Miller	Smalley	D. P. Wood
Harris	S. F. Miller	Speaker	W. H. Wood
Howell			

82

red, That the Clerk return said bill to the Senate, with a e informing that the Assembly have concurred in said nents, and amended the same accordingly.

essage from the Senate was received and read, informing ey had passed, with an amendment therewith delivered, entitled as follows:

act changing the names of James Loveland Putnam and e Elizabeth Putnam, to James Loveland Jenks and Caroline th Jenks."

Speaker put the question whether the House would agree said amendment, and it was determined in the affirmative, rity of all the members elected to the Assembly voting in hereof, as follows:

{ AYES 85 }
{ NOES 01 }

ose who voted in the affirmative are,

Conkling	Hoyle	S. F. Miller	Speaker
Cumming	Hull	Mitchell	Stephens

Barton	Cushman	Mat. Hutchinson	Nelson	Suffern
Baucus	Dawson	Mos. Hutchinson	Noble	Thompson
Benedict	Edwards	Jenkins	Odell	Thorn
Bennett	Ferguson	Kinney	Palmer	Townsend
Bergen	Fiero	Kirkland	Peters	Underwood
Boardman	Gibbs	Leigh	Preston	Ward
Bostwick	Gorham	Littlefield	Randall	Weed
Boyd	Gott	Littlejohn	Robertson	Whipple
Burgess	Hall	Maguire	Rose	White
Burnett	Harpur	Mather	Rowland	Whitman
Case	Harris	May	Savage	Willson
Chesbro	Hatch	McGraw	Sessions	Wilder
Clinton	Hinkley	McMurray	Seeley	J. E. Will
Cook	Holdridge	Mills	Sill	Winne
Collins	Howell	G. Miller	Smalley	D. P. Wood

For the negative,

Lozier

Ordered, That the Clerk return said bill to the Senate, with message informing that the Assembly have concurred in the amendment, and amended the same accordingly.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bills entitled as follows:

"An act to provide for the appraisal and payment of canal damages to Thomas Goodsell."

"An act to authorise the West Bloomfield and Richmond plank road company to erect an additional toll gate."

"An act to authorise the Saratoga and Hadley plank road company to increase their number of toll gates."

A message from the Senate was received and read, informing that they had non-concurred in the amendments of the Assembly to the following entitled bill:

"An act for the suppression of intemperance."

Mr. McGraw moved that the House insist upon its amendments and that a committee of conference be appointed.

Mr. Conkling moved the previous question.

Mr. Speaker put the question whether the House would assent to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the said motion of Mr. McGraw to insist, and it was determined in the affirmative, a majority of all members elected to the Assembly voting in favor thereof, as follows:

{ AYES 103 }
{ NOES 07 }

Those who voted in the affirmative are,

Angle
Aitken

Conkling
Cost

Hull
Mat. Hutchinson

Noble
Odell

Sterling
Suffern

	Cumming	Mos	Hutchinson	Palmer	Thompson
Baldwin	Cushman	Jenkins		Peters	Thorp
Wain	Dawson	Joy		Preston	Townsend
	A. A. Dunlop	Kinney		Randall	Underwood
	Edwards	Kirkland		Richards	Ward
	Ferguson	Littlefield		Richardson	Weed
	Fiero	Littlejohn		Robertson	Whipple
	Freeman	Lozier		Rose	White
	Gibbs	Mallory		Rowland	Whitman
	Gleason	Martin		Savage	Wilson
man	Gorham	Mather		Scott	Wilder
ck.	Graham	McGraw		Searing	D. Willis
	Hall	McMurray		Sessions	J. E. Willis
	Harpur	G. Miller		Seeley	Williams
	Harris	S. F. Miller		Sharp	Winne
	Hinkley	Mitchell		Sill	D. P. Wood
ro	Holdridge	Morris		Smalley	J. S. Wood
n	Howell	Munroe		Stephens	W. H. Wood
	Hoyle	Nelson			

103

Those who voted in the negative are,

dict	Gott	Leigh	Magnire	Speaker
	Hatch			

7

Mr. Speaker then put the question whether the House would concur in the said motion of Mr. McGraw to appoint a committee of conference, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. McGraw, Sessions, Sterling and Fiero.

By unanimous consent,

Mr. Sterling, on his own motion, was excused from serving on committee.

Mr. Speaker announced the appointment of Mr. Lozier in his place.

Mr. Speaker announced the special order, it being the consideration of the bill entitled "An act for the more perfect organization of the police department in the city of New-York."

On motion of Mr. Robertson, and by unanimous consent, the bill entitled "An act to amend the charter of the Schoharie bridge company," was made the special order for immediate consideration.

The House then resolved itself into a committee of the whole, to consider the said bill.

Ending the consideration thereof,

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock p. m.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Speaker presented a communication from the board of directors of the Alms House, New-York, inviting the Governor and the members of the Senate and Assembly of this State, to visit the institutions under their charge, at their earliest convenience.

[ASSEMBLY JOURNAL.]

The Senate bill entitled "An act creating the office of State Superintendent of Common Schools," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hull	Munroe	Sufferin
Bailey	Conkling	Mat. Hutchinson	Noble	Thompson
Baker	Cost	Mos. Hutchinson	Palmer	Thorn
S. Baldwin	Crocheron	Jenkins	Peters	Townsend
Barrow	Cumming	Kinney	Randall	Underwood
Barton	Cushman	Kirkland	Richards	Ward
Beers	Dowson	Leigh	Richardson	Ware
Benedict	Fiero	Littlejohn	Robertson	Whipple
Bennett	Freeman	Lozier	Rose	White
Bergen	Gibbs	Maguire	Rowland	Whitman
Boardman	Graham	Mather	Savage	Wilder
Boyd	Hall	May	Searing	D. Willis
Burgess	Harpur	McMurray	Sessions	J. E. Willis
Burnett	Harris	G. Miller	Seeley	Winne
Case	Hatch	Mitchell	Speaker	D. P. Wood
Chesebro	Howell	Morris	Stephens	W. H. Wood
Clinton	Hoyle			

Ordered, That the Clerk return said bill to the Senate, with message informing that the Assembly have passed the same with amendments.

By unanimous consent,

Mr. Hull asked and obtained leave to introduce a bill entitled "An act to revise and consolidate the laws in relation to Amsterdam village, in Montgomery County," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Hull, and by unanimous consent,

Said committee was empowered to report the same complete.

By unanimous consent,

Mr. McMurray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Sale' passed April 16, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. G. Miller, from the committee on the judiciary, to which was referred the petition of many electors of the town of Broome, praying for authority to elect an additional number of justices of the peace and assessors for said town, reported, and asked and obtained leave to bring in a bill entitled "An act to author-

the people of the town of Brookhaven to choose an additional number of justices of the peace and assessors."

On motion of Mr. Miller, and by unanimous consent, Said bill was ordered to a third reading.

By unanimous consent,

Mr. Cumming, from the committee on railroads, to which was referred the Senate bill entitled "An act to increase the capital stock of the Buffalo, Corning and New-York railroad company," report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Attica and Allegany valley railroad, passed July 21, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act to prevent the Hudson river railroad company from running their locomotives south of 125th street, in the city of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Harris, from the committee on militia and public defence, to which was referred the bill entitled "An act to authorise the city of Brooklyn to borrow money to erect an armory," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Harris, from the committee on militia and public defence, to which was referred the bill entitled "An act to authorise the 11th regiment of the militia to found and hold a regimental armory," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

A message from the Senate was received and read, informing that they had non-concurred in the bills entitled as follows:

"An act for the relief of the Medina and Alabama plank road company."

"An act making it a penalty to pass on to or off from the Union Springs plank road by the highway crossing the same immediate-

ly west of the toll house and gate, and traveling on the said plank road without the payment of half toll."

"An act to amend an act entitled 'An act to amend an act in relation to plank roads,' passed June 30, 1853."

Mr. Speaker presented a communication from Harvey P. Pease, president of the institution for the deaf and dumb, New-York, in answer to a resolution of the Assembly, passed on the 20th inst.

Mr. Angle offered for the consideration of the House, the following resolution, to wit:

Resolved, That Assembly bill No. 358, being "An act providing for the appraisal of damages for the diversion of the waters of the Genesee river," be made the special order for next Tuesday morning, immediately after reading the minutes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced as the business in order, the special order, it being the consideration of the bills entitled as follows:

"An act for the more perfect organization of the police department in the city of New-York."

"An act to amend the charter of the Schoharie Kill bridge company."

The House then resolved itself into a committee of the whole thereon.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Peters, from said committee, reported, that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to authorize the formation of town mutual insurance companies."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Peters, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Conkling, from the select committee to which was referred the bill entitled "An act allowing the continued use of copartnership names in certain cases," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the laying out, opening and constructing a road from Carmel village to Brewster's station, in the county of Putnam," to report complete, reported the same complete without amendment, which report was agreed to.

ordered, That said bill be engrossed for a third reading.

Mr. Wilder, from the select committee to which was referred a bill entitled "An act to incorporate the Lansingburgh female asylum," to report complete, reported the same complete with amendment, which report was agreed to.

ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Bergen offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the use of this chamber be granted to Dr. D. Francis Bacon, on the evenings of the 28th and 30th instant, for the purpose of delivering an address before the members of this Legislature, on (the subject,) the growth, greatness, or relative importance of the city and State of New-York.

ordered, That said resolution be laid on the table.

On motion of Mr. Dawson, and by unanimous consent,

Resolved, That the committee on trade and manufactures be instructed to report a bill for the better inspection of weights and measures, and a uniform weight of bread, in New-York city.

By unanimous consent,

Mr. Morris presented a remonstrance against permanent bridges, without draws, across Gowanus creek, or canal, which was read and referred to the committee on roads and bridges.

Mr. Moseley Hutchinson, from the select committee to which was referred the bill entitled "An act to provide for the sale of real estate and other property belonging to the poor fund of Dutchess county, and to abolish the office of superintendent of poor houses," to report complete, reported the same complete without amendment, which report was agreed to.

ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Savage presented the petition of 18,000 citizens of New-York, to have the 22d of February set apart as a holiday, which was read and referred to the committee on banks.

Mr. Speaker presented the annual report of the savings bank of New-York, which was read and referred to the committee on banks.

By unanimous consent,

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That the invitation of the governors of the New-York almshouse be accepted, and that Friday and Saturday, 31st March and 1st April, be appointed as the time for making the contemplated visit to the institutions under their management; and that in order to carry this resolution into effect, the members of the Houses of the Legislature, when they adjourn on Thursday next, adjourn to meet at 12 o'clock, at noon, on Monday, April 3d next, and that the session of this Legislature be prolonged beyond the 100 days a sufficient time to make up for the time occupied in said visit.

Ordered, That said resolution be laid on the table.
 , Mr. Speaker presented a communication from the Governor transmitting documents received from the Department of State at Washington, and recommending that the Superintendent of Common Schools be authorised to carry out the suggestions contained therein, as far as the same may be practicable.

Mr. Conkling offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the Superintendent of Common Schools be requested to carry out as far as practicable, the recommendations of the Governor's message enclosing documents from the Executive Minister at Washington, inviting co-operation in an educational exhibition to be held in London, under the auspices of the Society of arts, manufactures and commerce, in June next.

Ordered, That said resolution be laid on the table.

On motion of Mr. Ward,

At thirty-five minutes past six o'clock p. m., the House adjourned.

FRIDAY, MARCH 24, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit:

"An act to authorize the city of Troy to raise money by bonds and to borrow money."

"An act to incorporate the city of Poughkeepsie."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced the special order.

On motion of Mr. Wood, and by unanimous consent,

The special order was postponed until the afternoon session.

Mr. Dewey presented the remonstrance of the stockholders of the Watertown and Rome railroad company, against allowing the directors of said company to endorse the bonds of the Port Jervis railroad company, which was read and referred to the committee on railroads.

Mr. Germain presented the remonstrance of H. B. Potter, Ketchum, and other citizens of the city of Buffalo, against authorizing the purchase of market ground in that city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Cumming presented the remonstrance of the medical profession of the city of New-York, against the repeal of the law

...shing the office of physician to the Marine Hospital at the quarantine ground, Staten Island, which was read and referred to select committee.

Mr. Bennett presented the petition of 131 inhabitants of the village of Newark, for an act confirming the election of village officers, with a bill for that object, which were read and referred to the committee on the judiciary, to report complete.

Mr. Randall presented the petition of citizens of Catlin, Chesham county, for a new county from territory near the head of Cayuga lake, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Stephens presented the petition of 97 citizens of the town of Elmwood, asking for a new county from parts of Allegany and Warren counties, with county seat at Hornellsville, which was read and committed to the committee of the whole when on the bill on that subject.

Mr. Cook presented the petition of inhabitants of Stafford, Greene county, for an act for the sale of real estate in said town; and a resolution of citizens of Stafford, Greene county, to the effect, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Germain presented the petition of the citizens of Buffalo, asking that the ground purchased for market on the west side of Main street be improved; at the same time that measures be taken to improve the lands for market on the east side of said Main street, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Germain presented the petition of citizens of the counties of Erie and Cattaraugus, for a law authorising the towns in said counties to subscribe to the stock of the Buffalo and Pittsburgh road company, which was read and laid on the table.

Mr. Germain presented the petition of town officers and others of the town of Clarence, in the county of Erie, asking that the proceedings at the town meeting held in said town on the 7th day of March, 1854, &c, be confirmed, accompanied by a bill for the same purpose, which were read, and by unanimous consent referred to a select committee consisting of the Erie delegation, to report complete.

Mr. Baldwin presented the petition of the inhabitants of St. Lawrence county, to amend an act laying out a road from Parishville to Long lake, which was read and referred to a select committee.

Mr. Bennett presented two petitions of inhabitants of the county of Wayne, for a bridge across the Hudson river at Albany, which were read and referred to the committee on roads and bridges.

Mr. Harpur presented the petition of citizens of the village of Hamhamton, asking for the passage of a law to allow said village to subscribe \$50,000 to the capital stock of the Utica and Bing-

hamton railroad, which was read and referred to the committee on railroads.

Mr. Germain presented the petition of sundry inhabitants of the city of Buffalo, for a law legalizing the purchase of land by said city for a market ground, and authorising a loan by said city to improve the same, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Conkling presented a memorial of merchants and traders in the city of New-York, in favor of the passage of the bill entitled "An act to prevent the sale of merchandize by non-residents in the State of New-York," which was read and committed to the committee of the whole, when on the bill on that subject.

By unanimous consent,

Mr. Benedict gave notice that he would at an early day to suspend the 4th rule of the House, for the purpose of moving that Assembly bill No. 350, entitled "An act authorising the payment of \$2,500 on a draft dated October 21, 1853, for \$3,710 drawn by J. C. Mather, Canal Commissioner," be referred to the select committee to report complete.

Mr. Boyd, from the committee on the petitions of aliens, which was referred the bill entitled "An act for the relief of Abel Macdonald," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act to provide for the praisement of canal damages to Thomas Countryman," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from a majority of the committee on commerce and navigation, to which was referred the Senate bill entitled "An act for the preservation of the harbor of New-York from encroachments and obstructions of the necessary navigation thereof," reported in writing, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the Comptroller to credit back to the county of Clinton certain taxes on non-taxable lots in said county, heretofore assessed and cancelled," reported complete, reported the same complete without amendment.

On motion of Mr. Chesebro,

id bill was recommitted to the committee on the judiciary instructions to make the following amendment :

But nothing in this act shall be so construed as in anywise to impair or affect the rights or title of this State to the lands upon which said taxes were assessed, or the rights or title to the same, of any person to whom said lands, or any part thereof, have been granted or patented by the people of this State."

Mr. Richardson, from the committee on trade and manufactures, to which was referred the bill entitled "An act for the more effectual inspection and adjustment of weights and measures in the city and county of New-York," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a

resolution, That said bill be committed to the committee of the conference.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act adding to the act entitled 'An act incorporating the village of Sag Harbor,' passed March 26, 1846," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Resolution, That said bill be committed to the committee of the conference.

Mr. Barton, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to provide for carrying out and opening a road from township No. 8 to township No. 10, old military tract, Franklin county," to report complete, and that the same complete without amendment, which report was adopted.

Resolution, That said bill be engrossed for a third reading.

Mr. Randall, from the committee on railroads, to which was referred petitions praying for an act to facilitate the construction of the Utica and Binghamton railroad, reported, and asked and obtained leave to bring in a bill entitled "An act to facilitate the construction of the Utica and Binghamton railroad," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Harris, and by unanimous consent, the bill was referred to a select committee to report complete.

The Speaker announced as such committee Messrs. Harris, Benedict, Harpur and Whitman.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act relating to, amending and consolidating the several acts in relation to the village of Kingston," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act authorising the election of trustees and other officers of the village of Fonda," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Randall, from the committee on railroads, to which was referred the bill entitled "An act to authorise the formation of railroad corporations and to regulate the same, passed April 2, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the petition of inhabitants of Pulaski, praying for an act to authorise the Comptroller to loan money to the board of education of Pulaski, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the Comptroller to loan money to the board of education of Pulaski," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conkling, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the agricultural insurance company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Boyd, from the select committee to which was referred the bill entitled "An act to enable Ann O'Leary to take, hold and convey certain real estate, located in the county of Monroe," report complete, reported the same complete without amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Boyd, from the select committee to which was referred the bill entitled "An act to enable Elizabeth Turpin to take, hold and convey certain real estate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the select committee to which was referred the bill entitled "An act to amend an act in relation to the railroads on Long Island, passed April 13, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Peters, from the select committee to which was referred bill entitled "An act to amend chapter 224, Laws of 1853, entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for regulation of the marine hospital,'" to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Conkling, from the select committee to which was referred bill entitled "An act for the relief of Ellen Kenney," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the select committee to which was referred bill entitled "An act to authorise the Hallett's Cove turnpike plank road company to borrow \$25,000 to rebuild its bridge," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Winne, from the select committee to which was referred bill entitled "An act relative to the support of the poor in the county of Schenectady," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baker, from the select committee to which was referred bill entitled "An act to authorise Andrew Coates to take, hold and convey real estate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Randall, from the select committee, to which was referred the bill entitled "An act to incorporate the Elmira mechanical savings bank," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Winne, from the select committee, to which was referred the bill entitled "An act to authorise the board of supervisors of Schenectady county, to levy a tax of five hundred dollars annually on the town of Rotterdam, for highway purposes in said town," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Richardson, from the select committee to which was referred the bill entitled "An act entitled 'An act to amend an act to incorporate the Syracuse city water works company,' passed April 1849," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the select committee to which was referred the bill entitled "An act to consolidate and incorporate the cities of Brooklyn and Williamsburgh and the town of Bushwick," to

report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Morris, from the select committee to which was referred the bill entitled "An act for the relief of the Brooklyn female academy," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Hoosick Falls,' passed April 14, 1822," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Morris, from the select committee, to which was referred the bill entitled "An act to amend title one, and part first of the Code of Procedure," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ferguson, from the select committee, to which was referred the bill entitled "An act to provide for the laying out and constructing of a road from Dickinson centre, south through townships Nos. 10, 13, 16, 19, 22 and 25, in the county of Franklin," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Harris, from the select committee, to which was referred the bill entitled "An act to provide for the enrolment of the militia and the organisation of uniform corps, and the discipline of the military forces of this State," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ferguson, from the select committee to which was referred the bill entitled "An act to authorise the village of Malone to elect a police constable," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Barton, from the select committee to which was referred the bill entitled "An act to authorise the Sandburgh plank road company to borrow money, and for other purposes," reported that the committee had examined said bill, and saw no reason why it should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented the annual report of the governors of the New-York hospital, for 1853, which was read and referred to the committee on charitable and religious societies.

A communication from C. C. Savage, was received and read, tendering an invitation to the members of Assembly, to attend the

anniversary meeting of the Demilt Dispensary, on Monday evening, 27th inst.

By unanimous consent,
Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to declare the village of Rid, in the county of Seneca, a separate road district," to report complete, reported the same complete without amendment, which report was agreed to.

Mr. Conkling called up for the consideration of the House, the resolution heretofore offered by him, in the words following, wit:

Resolved, That the Superintendent of Common Schools be requested to carry out as far as practicable, the recommendations of the Governor's message enclosing documents from the British minister at Washington, inviting co-operation in an educational exhibition to be held in London, under the auspices of the society of arts, manufactures and commerce, in June next.

On motion of Mr. Clinton,
The foregoing resolution and the document therein mentioned, were referred to a select committee.

By unanimous consent,
Mr. Benedict, from the select committee, to which was referred the bill entitled "An act to facilitate the construction of the Seneca and Binghamton railroad," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.
A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, wit:

"An act to amend the charter of the village of Lansingburgh, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Hall, and by unanimous consent,
Said committee were empowered to report the same complete.
"An act to confirm the election of corporation officers in the village of Malone, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Ferguson,
Said committee were empowered to report the same complete.
"An act to authorise the water commissioners of the village of Watertown, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act further to amend an act entitled 'An act to authorise the Monticello and Westboro plank road company to purchase

from the Newburgh and Cohecton turnpike company, a bridge across the Neversink river, and for other purposes,' passed April 26, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to make the clerk's office in the county of Chautau a salaried office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act relinquishing title and ceding jurisdiction over certain land in the city of Buffalo, to be occupied as a site for a beacon light," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Germain, and by unanimous consent,

Said committee were empowered to report the same complete.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds, and other written instruments of persons residing out of the State of New-York,' passed April 1850."

Mr. Ward moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative by a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Harris	Manroe	Sterling
S. Baldwin	Cook	Hatch	Odell	Thompson
Barrow	Conkling	Hoyle	Palmer	Thorn
Baucus	Cumming	Jenkins	Preston	Townsend
Beers	Cushman	Kinney	Richardson	Ward
Benedict	Dewey	Kirkland	Robertson	White
Bennett	A. A. Dunlop	Littlejohn	Savage	Whitman
Bergen	Edwards	Maguire	Scott	Wilson
Boardman	Germain	Mallory	Searing	J. E. Williams
Bostwick	Gibbs	Mather	Sessions	Williams
Burgess	Gott	May	Seeley	Winne
Burnett	Graham	S. F. Miller	Sharp	D. P. Wood
Case	Hall	Mitchell	Speaker	W. H. Wood
Chesebro	Harpur	Morris	Stephens	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had concurred, with amendments, in the resolution

t 10,000 extra copies of the annual report of the State Engineer and Surveyor," &c.

On motion of Mr. Clinton, said resolution was amended by striking out the number proposed, and inserting 50 extra copies for each member, officer and clerk.

Ordered, That the Clerk return said resolution to the Senate.

By unanimous consent, Mr. Germain asked and obtained leave to introduce a bill entitled "An act authorising the formation of an additional regiment of militia in the thirty-first brigade," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

On motion of Mr. Germain, and by unanimous consent, said committee were empowered to report the same complete.

By unanimous consent, Mr. Barrow asked and obtained leave to introduce a bill entitled "An act to authorise the formation of stage companies in the State of New-York, and to regulate the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Barrow, and by unanimous consent, said bill was referred to the New-York delegation to report complete.

On motion of Mr. Littlejohn, and by unanimous consent, the bill entitled "An act to provide for the enlargement of the Oswego, and the Cayuga and Seneca canals, and for the completion of the Black River and Genesee Valley canals, and to provide for the payment of certain canal revenue certificates, and for other purposes," and the accompanying report from the committee of the whole, and the amendments thereto, were taken up and passed on the table.

Mr. Germain moved the previous question.

Mr. Speaker stated that the previous question would be on agreeing to the report of the committee of the whole.

Mr. Speaker put the question whether the House would agree to the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question now put?" and it was determined in the negative.

{ AYES 41 }
{ NOES 49 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Barrow	Clinton	Gott	G. Miller	Suffern
Conkling	Graham	Richardson	Thorn	
Cost	Hatch	Robertson	Townsend	

Benedict	A. A. Dunlop	Leigh	Rose	Ward
Bennett	Edwards	Littlejohn	Savage	Weed
Bergen	Freeman	Mallory	Searing	Wilson
Boardman	Germain	McGraw	Sill	Wilder
Boyd	Gorham	McMurray	Smalley	D. Willis
Chesebro				

Those who voted in the negative are,

Angle	Crocheron	Jenkins	Palmer	Underwood
Aitken	Cushman	Joy	Peters	Whipple
Bailey	Fiero	Kinney	Preston	White
R. J. Baldwin	Gibbs	Kirkland	Randall	Whitman
S. Baldwin	Gleason	Lozier	Rowland	J. E. Willis
Barton	Hall	Maguire	Scott	Williams
Baucus	Holdridge	May	Sessions	Winne
Burgess	Hull	S. F. Miller	Seeley	J. S. Wood
Cook	Mat. Hutchinson	Mitchell	Sharp	W. H. Wood
Collins	Mos. Hutchinson	Morris	Stephens	

Mr. Speaker then put the question whether the House would agree to the motion of Mr. W. H. Wood, to amend by substituting in the 15th line of the 2d section "\$1,806,000" "\$1,841,000," and in the 17th line "\$168,000" for "\$179,000" and in the 19th line "\$100,000" for "\$101,000," and in the 20th line "\$60,000" for "\$19,000," and in the 21st line "\$100,000" for "\$65,000," and it was determined in the negative.

{ AYES 29 }
{ NOES 56 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Jenkins	S. F. Miller	Rose	Whipple
Collins	Kirkland	Mitchell	Rowland	Whitman
Cost	Littlefield	Morris	Sessions	J. E. Willis
Cushman	Lozier	Peters	Seeley	Williams
Gibbs	Mather	Preston	Speaker	W. H. Wood
Holdridge	May	Randall	Stephens	

Those who voted in the negative are,

Aitken	Chesebro	Graham	Mallory	Townsend
Baker	Clinton	Hall	McGraw	Underwood
R. J. Baldwin	Conkling	Hatch	McMurray	Ward
S. Baldwin	Crocheron	Hoyle	Richardson	Weed
Barrow	Cumming	Hull	Robertson	White
Barton	Dawson	Mat. Hutchinson	Savage	Wilson
Beers	A. A. Dunlop	Mos. Hutchinson	Sharp	Wilder
Benedict	Edwards	Joy	Sill	D. Willis
Bennett	Freeman	Kinney	Sterling	Winne
Bergen	Germain	Littlejohn	Suffern	D. P. Wood
Boardman	Gott	Maguire	Thorn	J. S. Wood
Boyd				

On motion of Mr. Littlejohn, and by unanimous consent,
Said bill was amended by adding sub. 10th to the 10th section as follows:

"Sub. 10th. The abstracts of all the proposals received at a meeting of the contracting board containing specifications of ex-

and of work, the price bid in each proposal, and the total cost of each kind of work at such price, upon which any decision by the board may be founded, shall be certified by the engineer making the same, and shall be filed in the Canal Department, and be open to public inspection after the contracts are awarded."

In the 12th section, after the word "knowingly," insert as follows:

"Make any false representation or estimate of the nature, quality, quantity or cost of any work proposed by the State or any individual to be done, or of any materials so proposed to be furnished for any canal or its appurtenances, or any false representation or estimate in any statement of work or materials so proposed, which may be required by the Canal Board, any canal commissioner, or any other board or officer, or who shall knowingly."

Mr. Speaker put the question whether the House would agree to the said report, as amended, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, are,

gle	Cook	Hall	G. Miller	Speaker
ken	Collins	Harpur	S. F. Miller	Stephens
ley	Conkling	Harris	Mitchell	Sterling
ter	Cost	Hatch	Morris	Sniffen
J. Baldwin	Crocheron	Holdridge	Palmer	Townsend
Baldwin	Cumming	Howell	Peters	Underwood
crow	Cushman	Hoyle	Preston	Ward
rtou	Dawson	Hull	Richardson	Weed
ucus	A. A. Dunlop	Mat. Hutchinson	Robertson	Whipple
ers	Edwards	Mos. Hutchinson	Rose	White
edict	Ferguson	Jenkins	Rowland	Whitman
anett	Fiero	Kirkland	Savage	Wilson
ngen	Freeman	Littlefield	Scott	Wilder
ardman	Germain	Littlejohn	Searing	D. Willis
stwick	Gibbs	Lozier	Sessions	J. E. Willis
rgess	Gleason	Mallory	Seeley	Williams
rnnett	Gorham	Mather	Sharp	Winne
esebro	Gott	May	Sill	D. P. Wood
nten	Graham	McMurray	Smalley	W. H. Wood 96

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act prescribing regulations in regard to the management of the canals, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Conkling	Hatch	McMurray	Stephens
Aitken	Cost	Holdridge	G. Miller	Sterling
Bailey	Crocheron	Howell	Mitchell	Suffern
Baker	Cumming	Hoyle	Morris	Thorn
S. Baldwin	Dawson	Hull	Palmer	Townsend
Barrow	A. A. Dunlop	Mat. Hutchinson	Peters	Underwood
Barton	Edwards	Mos. Hutchinson	Preston	Ward
Baucus	Ferguson	Jenkins	Richardson	Weed
Beers	Fiero	Joy	Robertson	Whipple
Benedict	Freeman	Kinney	Savage	White
Bennett	Germain	Kirkland	Scott	Whitman
Bergen	Gleason	Littlefield	Searing	Wilson
Boardman	Gorham	Littlejohn	Sessions	Wilder
Bostwick	Gott	Maguire	Seeley	J. E. Williams
Burgess	Graham	Mallory	Sharp	Winne
Chesbro	Hall	Martin	Sill	D. P. Wood
Clinton	Harpur	Mather	Smalley	J. S. Wood
Cook	Harris	May	Speaker	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act to provide for the completion of the Erie canal enlargement, and the Genesee Valley and Black River canals,' passed July 10, 1855" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Holdridge	Mitchell	Thorn
Bailey	Cushman	Howell	Morris	Townsend
S. Baldwin	Dawson	Hoyle	Palmer	Underwood
Barton	A. A. Dunlop	Hull	Peters	Ward
Baucus	Edwards	Mat. Hutchinson	Preston	Weed
Beers	Ferguson	Mos. Hutchinson	Richardson	Whipple
Benedict	Fiero	Jenkins	Savage	White
Bennett	Freeman	Joy	Scott	Whitman
Bergen	Germain	Kinney	Searing	Wilson
Boardman	Gibbs	Kirkland	Sessions	Wilder
Bostwick	Gleason	Littlefield	Seeley	J. E. Williams
Burgess	Gott	Littlejohn	Sharp	Williams
Chesbro	Graham	Lozier	Smalley	Winne
Clinton	Hall	Maguire	Speaker	D. P. Wood

Conkling	Harpur	Mallory	Stephens	J. S. Wood
at	Harris	Mather	Sterling	W. H. Wood
	Hatch	May	Suffern	84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the people of the town of Hookhaven to choose an additional number of justices of the peace and assessors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 03 }

Those who voted in the affirmative are,

Conkling	Cumming	Mos. Hutchinson	Mitchell	Smalley
at	Cushman	Jenkins	Morris	Stephens
Baldwin	A. A. Dunlop	Kinney	Palmer	Sterling
Brown	Ferguson	Kirkland	Peters	Suffern
Crocker	Fiero	Littlefield	Preston	Townsend
Edwards	Freeman	Littlejohn	Richardson	Underwood
Edwards	Germain	Lozier	Robertson	Ward
Engel	Gibbs	Mallory	Rose	Whipple
Engel	Gleason	Martin	Rowland	White
Engel	Graham	Mather	Savage	Wilson
Engel	Hall	May	Scott	Wilder
Engel	Harris	McGraw	Searing	D. Willis
Engel	Hatch	McMurray	Seasons	J. E. Willis
Engel	Hoyle	G. Miller	Seeley	Winne
Engel	Hull	S. F. Miller	Sharp	D. P. Wood
Engel	Mat. Hutchinson			77

Those who voted in the negative are,

Engel	R. J. Baldwin	Speaker	8
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act in relation to the incorporation of the village of Le Roy,' passed May 5, 1834," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Conkling	Howell	McMurray	Sterling
Cost	Hoyle	S. F. Miller	Suffern
Crocheron	Hull	Mitchell	Thorn
Cumming	Mat. Hutchinson	Peters	Townsend

R. J. Baldwin	Dawson	Mos. Hutchinson	Richardson	Underwood
S. Baldwin	A. A. Dunlop	Jenkins	Robertson	Ward
Barrow	Ferguson	Joy	Rowland	Whipple
Barton	Freeman	Kinney	Savage	Whitman
Beers	Germain	Kirkland	Scott	Wilson
Benedict	Gleason	Littlefield	Sessions	Wilder
Bergen	Gorham	Littlejohn	Seeley	D. Willis
Boardman	Gott	Maguire	Sharp	J. E. Willis
Bostwick	Hall	Mallory	Sill	Winne
Burgess	Harris	Mather	Smalley	D. P. Wood
Chesebro	Hatch	May	Speaker	W. H. Wood
Cook	Holdridge	McGraw	Stephens	

79

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act for the suppression of intemperance," with a resolution informing that that body had consented to a committee of conference, and that Messrs. W. Clark, Bradford and Danforth were appointed such committee on the part of the Senate.

On motion of Mr. Lozier,

The time for taking a recess to-day was extended to two o'clock p. m.

The bill entitled "An act to amend the several acts in relation to State prisons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hoyle	McMurray	Smalley
Bailey	Conkling	Hull	G. Miller	Speaker
Baker	Crocheron	Mat. Hutchinson	S. F. Miller	Stephens
R. J. Baldwin	Cumming	Mos. Hutchinson	Mitchell	Suffern
S. Baldwin	Cushman	Jenkins	Morris	Thorn
Barrow	A. A. Dunlop	Joy	Odell	Townsend
Barton	Edwards	Kinney	Palmer	Underwood
Beers	Ferguson	Kirkland	Preston	Ward
Benedict	Fiero	Leigh	Randall	Whipple
Bennett	Freeman	Littlefield	Robertson	White
Bergen	Germain	Littlejohn	Rose	Whitman
Boardman	Gibbs	Lozier	Rowland	Wilson
Bostwick	Gleason	Maguire	Savage	Wilder
Burgess	Gott	Mallory	Scott	D. Willis
Burnett	Hall	Martin	Searing	J. E. Willis
Case	Hatch	Mather	Sessions	Williams
Chesebro	Hollenbeck	May	Seeley	Winne
Clinton	Howell	McGraw	Sill	D. P. Wood
Cook				

91

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. R. J. Baldwin,

At five minutes to two o'clock, the House took a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,
Mr. Hall offered the following resolution, and by unanimous consent the same was agreed to.

Resolved, That the following be adopted as one of the standing orders of this House: "When twenty or more bills shall be in business for a third reading, the Speaker shall assign an early hour for the third reading of such bills; and the Clerk shall, at that hour appointed proceed to their reading, and continue the same from day to day until all bills on their third reading shall be disposed of; and it shall not be in order during such time, to receive or consider any other business whatever without the assent of two-thirds of all the members elected to the House.

Mr. Speaker announced as the business in order, the special order, it being the consideration of the bills entitled as follows:

An act making appropriations for the support of the Government for the fiscal year, commencing October first, one thousand eight hundred and fifty-four."

An act to increase the common school fund, and to provide for a more elevated system of free education."

The House then resolved itself into a committee of the whole on the same.

After some time spent thereon, Mr. Speaker resumed the chair,

Mr. Angle, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Speaker announced the business in order, it being the third reading of bills.

On motion of Mr. Lozier, and by unanimous consent,

The present order of business was laid upon the table.

A message from the Senate was received and read, transmitting a report of the joint committee of conference, upon the matter of difference subsisting between the Senate and Assembly, on the bill entitled "An act for the suppression of intemperance," and announcing the concurrence of the Senate in said report, the same being in the words as follows:

The committee of conference consisting of the committees of the Senate and Assembly, appointed to confer upon the matter of difference subsisting between the two Houses on the bill entitled "An act for the suppression of intemperance," respectfully report, that they have had under consideration the said matter of difference and disagreement, and have agreed upon the bill as passed

by the Senate. They, therefore, recommend the passage of the bill as passed by the Senate.

All of which is respectfully submitted.

PERRIN H. MCGRAW,
CHARLES C. LEIGH,
JOSHUA FIERO, Jun'r,
W. L. SESSIONS,
AB'M LOZIER,

Assembly Committee.

W. CLARK,
GEO. C. BRADFORD,
P. S. DANFORTH,

Senate Committee.

Mr. McGraw, from the committee of conference on the part of the House, reported in writing, and offered the following resolution :

Resolved, That this House recede from the amendment made by them to the bill entitled "An act for the suppression of intemperance."

Mr. Leigh moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the negative.

{ AYES 20 }
{ NOES 74 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Bennett	Cumming	Holdridge	Palmer
S. Baldwin	Burnett	Fiero	Mos. Hutchinson	Sessions
Barton	Conkling	Freeman	Leigh	Townsend
Benedict	Creecherson	Gorham	McMurray	Underwood

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Those who voted in the negative are,

Angle	Collins	Hinkley	Morris	Ward
Bailey	Cushman	Howell	Odell	Weed
R. J. Baldwin	Dawson	Mat. Hutchinson	Peters	Whipple
Barrow	Dewey	Jenkins	Preston	White
Baucus	A. A. Dunlop	Joy	Randall	Whitman
Beers	Ferguson	Kinney	Richardson	Wilson
Bergen	Germain	Kirkland	Rowland	Wilder
Boardman	Gibbs	Littlefield	Scott	D. Willis
Bostwick	Gleason	Lozier	Searing	J. E. Willis
Boyd	Gott	Mallory	Seeley	Williams
Burgess	Graham	Martin	Sill	Winne
Case	Hall	Mather	Smalley	D. P. Wood
Chesebro	Harpur	G. Miller	Sterling	J. S. Wood
Clinton	Harris	S. F. Miller	Suffern	W. H. Wood
Cook	Hatch	Mitchell	Thorn	

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Mr. Clinton moved the previous question.

Mr. Dawson moved that this House do now adjourn.
Mr. Speaker put the question whether the House would agree to the said motion of Mr. Dawson, and it was determined in the negative.

Mr. Speaker then put the question whether the House would con-
cede to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would con-
cede to said report and resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly,
being in favor thereof, as follows :

{ AYES 77 }
{ NOES 26 }

Those who voted in the affirmative are,

de	Cumming	Hull	McGraw	Speaker
ey	Dewey	Mat. Hutchinson	McMurray	Sterling
Baldwin	Fiero	Mos. Hutchinson	G. Miller	Suffern
aldwin	Freeman	Jenkins	S. F. Miller	Thorn
ow	Gibbs	Joy	Mitchell	Townsend
on	Gleason	Kinney	Odell	Underwood
en	Gorham	Kirkland	Palmer	Weed
dict	Hall	Leigh	Peters	Wilson
nett	Harpur	Littlefield	Richardson	Wilder
gen	Harris	Littlejohn	Robertson	D. Willis
rdman	Hatch	Lozler	Rose	J. E. Willis
d	Hinkley	Mallory	Rowland	Winne
e	Holdridge	Martin	Scott	D. P. Wood
k	Howell	Mather	Sessions	J. S. Wood
king	Hoyle	May	Sill	W. H. Wood
cheron				

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Those who voted in the negative are,

ken	Collins	Ferguson	Morris	Stephens
er	Cost	Germain	Randall	Ward
cus	Cushman	Gott	Searing	Whipple
twick	Dawson	Graham	Seeley	White
gess	A. A. Dunlop	Maguire	Smalley	Whitman
ton				

26

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have receded from their amendment, and passed said bill accordingly.

A message from the Senate was received and read, informing that they had concurred without amendment in the passage of the following resolution :

Resolved, (if the Senate concur,) That a joint committee, consisting of one member of the Senate and two members from the Assembly, be appointed by a ballot, according to the provisions of the act passed May 5, 1841, to examine the accounts of the Treasurer and Canal Department, and to examine into the condi-

tion of the Banking Department ; the appointment to be made on Monday, the third day of April next.

On motion of Mr. Mitchell,

At fifteen minutes past eight o'clock p. m., the House adjourned.

SATURDAY, MARCH 25, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday were read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act in relation to the public schools in the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Benedict,

Said bill was referred to the committee on colleges, academies and common schools, to report complete.

Mr. May presented the remonstrance of 48 inhabitants of Allegany county, against any division of said county for the erection of the county of Canisteo, which was read and referred to the committee of the whole, when on the bill on that subject.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows :

Senate bill entitled "An act to establish free schools in the village of Sing Sing," to Messrs. Odell, Lee and Smalley.

"An act to amend the Revised Statutes in relation to the proof of wills," to Messrs. Angle, Mallory and Thorn.

"An act to incorporate the New-York pure milk company," to Messrs. Cumming, Willis and Aitken.

Senate bill entitled "An act to make the village of Hamilton, a separate road district," to Messrs. Littlejohn, Holdridge and Palmer.

"An act to exempt certain firemen two days highway tax," to Messrs. Sterling, G. Miller and Cushman.

"An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," to Messrs. McGraw, Savage and Bergen.

"An act to incorporate the Hebron female benevolent society of the congregation Sherith Israel, in the city of New-York," to Messrs. Conkling, Graham and Richards.

"An act to incorporate the merchants' and clerks' library association, of the city of New-York," to Messrs. Littlejohn, Thorn and Clinton.

"An act to enable the trustees of the Lancaster school society of Poughkeepsie, to convey the real estate owned and held by said society to the trustees of the village of Poughkeepsie," to Messrs. Sterling, D. P. Wood and Benedict.

"An act to incorporate the Great Neck commercial dock company," to Messrs. Germain, Searing and Ward.

"An act to enable the Comptroller to admit certain taxes levied on nonresident lands in the county of Greene," to Messrs. Fiero, Sessions and Hull.

"An act to amend the Revised Statutes, in relation to courts of special sessions, and to regulate the police of the town of Athens, in the county of Greene," to Messrs. Bennett, Fiero and Mallory.

"An act in relation to the examination of witnesses," to Messrs. Benedict, W. H. Wood and Baker.

Mr. J. S. Wood presented two petitions in favor of the gradual withdrawal of the circulating notes of the expired and expiring safety fund banks, which were read and laid on the table.

Mr. McGraw presented the petition of the mariners' family industrial society of the port of New-York, for the control of the mariners' family society, which was read and referred to the committee on charitable and religious societies.

Mr. Leigh presented the remonstrance of a policeman of the city of New-York, against altering the mode of electing the chief of police, which was read and laid on the table.

Mr. Leigh presented the remonstrance of officers of the reform association of the city of New-York, against altering the present police law, which was read and laid on the table.

Mr. Ware, from the committee to which was referred the bill entitled "An act to authorise the opening of a public highway," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to enable the Comptroller to credit back to the county of Clinton, certain taxes on nonresident lots in said county, heretofore assessed and collected," with instructions to make a specific amendment, reported the same back with the said amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Barrow, from the select committee, to which was referred the bill entitled "An act to authorise the formation of stage companies in the city of New-York, and to regulate the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act further to amend an act

entitled 'An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cocheaton turnpike road company a bridge across the Neversink river, and for other purposes,' passed May 26, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. McGraw, from the select committee to which was referred the bill entitled "An act to amend the several acts incorporating the village of Owego, in the county of Tioga," passed April 9, 1851," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners and seamen, arriving at the city and port of New-York, and the disposal of the same by the trustees of the seaman's fund and retreat," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act authorising the town of Le Roy, in Jefferson county, to raise two hundred and fifty dollars for highway purposes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Albert Marcellus, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act for the relief of Albert Marcellus," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conkling, from the select committee to which was referred the bill entitled "An act to incorporate the Hebrew female benevolent society of the congregation Shearith Israel, in the city of New-York," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act in relation to the office of keeper of the poor house in the county of Orleans," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee to which was referred the Senate bill entitled "An act to make the village of Ham-

ilton a single road district," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Moseley Hutchinson, from the select committee to which was referred the Senate bill entitled "An act in relation to the public schools in the city of Schenectady," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Fiero, from the select committee to which was referred the bill entitled "An act to enable the Comptroller to admit certain taxes levied on non-resident lands in the county of Greene," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act for the construction of a work house in the county of Monroe,' passed May 27, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to incorporate the New-York pure milk company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Benedict, from the select committee, to which was referred the bill entitled "An act to authorise any town or city in the counties of Oneida, Madison, Chenango or Broome, to subscribe to the capital stock of the Utica and Binghamton railroad," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the select committee to which was referred the Senate bill entitled "An act relinquishing title and ceding jurisdiction over certain land in the city of Buffalo, to be occupied as a site for a beacon light," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to authorise the common council of the city of Hudson to borrow money to erect a city hall," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be read a third time.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the petition of mariners' family industrial society, reported, and asked and obtained leave to bring

in a bill entitled "An act in relation to the moneys levied by law on masters, mates and seamen, arriving at the city and port of New-York, and the disposal of the same by the trustees of the seamen's fund and retreat, and the government of the mariners' family asylum," which was read the first time, and by unanimous consent was also read the second time..

On motion of Mr. Lozier, and by unanimous consent,

Said bill was recommitted to the committee on charitable and religious societies, to report complete.

Mr. Germain, from the select committee to which was referred the bill entitled "An act to incorporate the Great Neck commercial dock company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Germain, from the select committee, to which was referred the bill entitled "An act to confirm the proceedings of the town meeting held in the town of Clarence, in the county of Erie, on the 7th day of March, 1854," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act in relation to the examination of witnesses," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows:

"An act to amend the charter of the agricultural insurance company," to Messrs. Conkling, Littlefield, Dewey and J. E. Willis.

"An act to amend an act to authorize stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies," to Messrs. Edwards, Mallory and Dewey.

"An act to provide for the alteration, reconstruction and improvement of the public highways in Frankfort, Herkimer county, known as the Moyer creek road," to Messrs. Burgess, Hinkley and Baker.

"An act relative to the construction of railroads in cities," to Messrs. Cumming, Benedict and Weed.

"An act to enable the Seneca and Wayne plank road company to remove one of their toll gates," to Messrs. Scott, Bennett and Barton.

"An act authorising the town of Le Roy, in Jefferson county, to raise \$250 in addition to that already allowed by law," to Messrs. J. E. Willis, Littlefield and Benedict.

"An act to enable the children of Robert Borell and Sarah, his wife, to take and hold real estate," to Messrs. Baker, Cumming and Morris.

"An act to amend chapter 281 of the Session Laws of 1836, entitled 'An act to protect sidewalks along highways,' passed May 9, 1836," to Messrs. Case, Wilder and Winne.

"An act to change the name of the town of Union to Northampton," to Messrs. Angle, Ward and Holdridge.

"An act to incorporate the Albany dime savings bank," to Messrs. Harris, Stephens and Weed.

"An act authorising a tax upon the taxable inhabitants of the town of Shawangunk, for the payment of certain costs and expenses incurred by John M. Schoonmaker and Jacob Clearwater, late overseers of the poor of said town, in four several suits in the supreme court, while acting as such overseers," to Messrs. G. Miller, Howland and Fiero.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 50 copies of the report of the New-York State agricultural society, for the use of members, officers and reporters of the Legislature; 1,000 copies for the use of the society, and 40 copies for the use of each county agricultural society in the State, reported that they had had the same under consideration, and have amended by substituting 25 copies for the use of each member, officer and reporter of the Legislature. The expense, exclusive of binding, will be about \$3,500.

On motion of Mr. Benedict,

Said report was amended by substituting 50 copies for the use of the members, &c., for 25.

Mr. Speaker put the question whether the House would agree with the report as amended, and it was determined in the affirmative.

Mr. Sterling, from the select committee, to which was referred the Senate bill entitled "An act to exempt certain firemen from two days highway tax," to report complete, reported the same complete without amendment, which report was agreed to.

Mr. Speaker announced the business in order, third reading of bills.

On motion of Mr. Peters,

This order of business was laid on the table.

Mr. Aitken gave notice of the introduction of a bill to enable Annette Wilkes, an infant alien, to take real estate.

By unanimous consent,

Mr. Barrow asked and obtained leave to introduce a bill entitled "An act for the better regulation of opening streets in the City of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill entitled "An act to authorise the construction of a lateral canal in the county of Onondaga, at the owners' expense," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cumming, and by unanimous consent,
Said bill was referred to the committee on canals to report complete.

Mr. Hoyle gave notice that he would on Monday next introduce a bill providing for the payment of the officers and guards of the several State prisons to the first of May next.

By unanimous consent,

Mr. Cumming asked and obtained leave to introduce a bill, entitled "An act relative to railroads held under lease," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. D. Willis asked and obtained leave to introduce a bill entitled "An act to incorporate the Atlantic and Pacific canal company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. D. Willis, and by unanimous consent,

Said bill was referred to a select committee.

Mr. Speaker announced as such committee Messrs. D. Willis, Littlejohn, Savage, Gibbs and Cushman.

By unanimous consent,

Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend section 72, article 3, title 5, chapter 9, part 1, of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Aitken asked and obtained leave to introduce a bill entitled "An act in relation to the marine court of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Aitken, and by unanimous consent,

Said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Church Charity Foundation, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent,

Said bill was referred to the committee on charitable and religious societies, to report complete.

By unanimous consent,

Mr. Aitken asked and obtained leave to introduce a bill, entitled "An act to enable Annette Wilks, an infant alien, to take l estate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Aitken, and by unanimous consent, said bill was referred to the committee on the petitions of ans, to report complete.

By unanimous consent, Mr. Clinton asked and obtained leave to introduce a bill entitled n act to prohibit the use of camphine, spirit gas, and all other operation of alcohol or spirits of turpentine, for the purpose of umination in stages, omnibusses, railroad cars and steamboats," ich was read the first time, and by unanimous consent was o read the second time, and referred to the committee on roads.

By unanimous consent, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act to amend the act incorporating the village of Penn n, Yates county, passed March 23, 1852," which was read the t time, and by unanimous consent was also read the second e.

On motion of Mr. Sessions, and by unanimous consent, said bill was referred to the committee on the internal affairs towns and counties, to report complete.

By unanimous consent, Mr. Angle asked and obtained leave to introduce a bill entitled n act to incorporate the Rochester Gallery of Fine Arts," which s read the first time, and by unanimous consent was also read e second time.

On motion of Mr. Angle, and by unanimous consent, said bill was referred to the Monroe delegation to report com- te.

By unanimous consent, Mr. G. Miller asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act regulating high- ys and bridges in the counties of Suffolk, Queens and Kings,' ssed February 23, 1830," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. G. Miller, and by unanimous consent, said bill was referred to the delegations from the counties of ffolk, Queens and Kings, to report complete.

By unanimous consent, Mr. Littlejohn, from the committee on canals, reported a bill titled "An act making appropriations to provide for deficiencies isting in the appropriations for the present fiscal year, to meet aims and demands against the treasury on account of the nals," which was read the first time, and by unanimous consent s also read the second time, and committed to the committee the whole.

By unanimous consent,

Mr. Littlejohn, from the committee on canals, reported a bill entitled "An act making appropriations for the canal debt, and the maintenance, enlargement and construction of the canals for the fiscal year commencing October 1st, 1854," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act declaring Five Mile creek a public highway," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams, and by unanimous consent,

Said bill was referred to the committee on the internal affairs of towns and counties, to report complete.

By unanimous consent,

Mr. Cumming asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing, mechanical and chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Lozier offered, for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That this Legislature will finally adjourn on Wednesday, the 12th day of April next, at 4 o'clock p. m.

Ordered, That said resolution be laid on the table.

Mr. Lozier offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the select committee to which was referred the petition of the woman's rights convention, be requested to report in writing on or before Tuesday next.

Ordered, That said resolution be laid on the table.

On motion of Mr. R. J. Baldwin,

Resolved, That the committee on the manufacture of salt be and they are hereby directed to report for the consideration of the House, the bill referred to them on the 13th day of January last, entitled "An act to repeal section 10 of chapter 375 of the Laws of 1850," which prohibits the manufacture of salt during the months of December, January, February and March, in each year, and that they report the same on Monday next.

Mr. D. Willis offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, That all bills that may hereafter be passed by the House of Representatives and Senate of the United States, disposing of the public lands for any purpose whatever, should contain a provision requiring all States, corporations and individuals to

whom any grants of the public lands may be made, to dispose of the same in limited quantities, and to those only who shall settle upon and cultivate such lands.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to present to their respective houses the above resolution, and urge the adoption of the policy therein indicated.

Ordered, That said resolutions be laid on the table.

On motion of Mr. Mallory,

Resolved, That the third reading and the final vote on the bill for the promotion of medical science, be taken on Wednesday, the 29th inst., at 11 o'clock a. m.

On motion of Mr. Benedict, and by unanimous consent,

Resolved, That the 4th rule be suspended for the purpose of taking Assembly bill No. 350, being an act for the payment of a draft drawn by John C. Mather, late Canal Commissioner, from the committee of the whole, and referring it to the judiciary committee, to report complete.

Mr. Case offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That this House adjourn on Saturday, the 8th of April next.

Ordered, That said resolution be laid on the table.

Mr. Collins offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That the Canal Commissioners be requested to report to the Assembly at an early day a full statement of the examination lately had before them relative to the Black River canal lettings.

Mr. Maguire offered for the consideration of the House, resolutions, in the words following, to wit:

Resolved, (if the Senate concur,) That in the judgment of the Legislature of this State, the exclusion from the right of suffrage by a vote of the Senate of the United States of residents of the territories of Nebraska and Kansas, who shall have declared their intention to become citizens of the United States, is inconsistent with the spirit of a republican government, and in its adoption by the Senate is wholly in opposition to the spirit of the executive department of the United States, which insists on the equal rights of the native born citizen and the foreigner who has declared his intentions to become a citizen; that such exclusion is well calculated to deprive the new territories of the industry and capital of the persecuted of the Old World, and ultimately tend to the injury of such territories.

Resolved, That this Legislature approves of the votes of Senators Seward and Fish, recorded against this odious provision in the territorial bills passed by the Senate.

Resolved, That the Representatives in Congress from this State be requested to oppose this objectionable provision in said bills.

Resolved, That the Governor be requested to transmit to our Senators and Representatives in Congress copies of the above resolutions.

Ordered, That said resolutions be laid on the table.

On motion of Mr. Ward,

Resolved, That the committee on railroads be directed to inquire into the propriety of repealing or amending chapter 256, of Laws of 1849, entitled "An act to amend an act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847," and that they report by bill or otherwise.

Mr. Germain offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That Senate bill No. 101, entitled "An act for the preservation of the harbor of New-York from encroachments and obstructions of the necessary navigation thereof," be made the special order for the afternoon session on Monday next.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Clinton called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, (if the Senate concur,) That this Legislature will adjourn *sine die* on the 31st day of March inst.

Mr. Clinton moved to amend by striking out all after the word "resolved," and inserting as follows:

"That this Legislature will adjourn *sine die* on the 11th day of April, at 4 o'clock p. m."

On motion of Mr. Benedict,

Said resolution and amendment were laid on the table.

Mr. Conkling called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, (if the Senate concur,) That this Legislature accept the invitation of the governors of the Alms House in the city of New-York, to visit that institution, and that they will adjourn for that purpose from Thursday next until the following Monday, and that they will sit two days after the 12th of April, to make up the time so spent.

Mr. Sessions moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

{ AYES 42 }
{ NOES 33 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bancroft
Bennett

Fiero
Germain

Kirkland
Litt:ejohn

Randall
Robertson

Stephens
Sterling

Boardman	Gibbs	Lozier	Rose	Suffern
Burgess	Gleason	McGraw	Scott	Thorn
Burnett	Gott	G. Miller	Sessions	Wilson
Cass	Hall	Odell	Seeley	Wilder
Cook	Harpur	Palmer	Shalley	D. Willis
Conkling	Hoyle	Peters	Speaker	W. H. Wood
Crawley	Jenkins			

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Those who voted in the negative are,

Angle	Boyd	Graham	Littlefield	Rowland
Atkins	Clinton	Harris	Magnire	Sill
Bailey	Collins	Hatch	Mallory	Ward
Baker	Cumming	Holdridge	Martin	Whitman
C. J. Baldwin	Cushman	Joy	Mather	Williams
Carton	Dawson	Kinney	Morris	Winne
Cargen	Edwards	Leigh		

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On motion of Mr. Benedict,

Resolved, That Senate bill entitled "An act authorising the Comptroller to loan money from the common school fund to the county of Wayne," be taken from the committee of the whole and referred to a select committee with power to report complete.

Mr. Speaker appointed as such committee Messrs. Bennett, Sessions and Wilson.

By unanimous consent,

Mr. Gott gave notice that he would on each and every day hereafter move to suspend the 4th rule of this House.

Mr. Peters offered for the consideration of the House, the following resolution, to wit:

Resolved, That if any reporter who shall be admitted to the privileges of this House, or any officer thereof, shall attempt to influence any member in regard to his action upon any subject under consideration while in session, the individual so offending shall be forthwith expelled.

Ordered, That said resolution be laid on the table.

Mr. Cumming called up for the consideration of the House, resolutions in the words following, to wit:

Resolved, (if the Assembly concur,) That the Senators and Representatives in Congress from this State be requested to reduce the tariff on foreign sugars and molasses, and if the proposition to place cheap wool, flax seed and linen on the free list should prevail, that foreign sugars and molasses should also be imported free of duty.

Resolved, That a copy of the above resolutions be sent to the Assembly for concurrence, and forwarded to the Senators and Representatives from this State at Washington.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 02 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	McGraw	Speaker
Altken	Cumming	Hull	S. F. Miller	Stephens
Bailey	Dawson	Mos. Hutchinson	Mitchell	Sterling
Baker	Dewey	Joy	Morris	Suffern
B. J. Baldwin	Edwards	Kinney	Palmer	Thorn
Barton	Fiero	Kirkland	Peters	Ward
Benedict	Germain	Leigh	Randall	Whitman
Bennett	Gibbs	Littlefield	Robertson	Wilson
Bergen	Gleason	Littlejohn	Rose	Wilder
Boardman	Gott	Lozier	Rowland	D. Willis
Burgess	Hall	Maguire	Scott	Williams
Case	Harpur	Mallory	Sessions	Winne
Clinton	Harris	Mather	Seelye	W. H. Wood
Cook	Holdridge	May	Smalley	

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Those who voted in the negative are,

Boyd

Burnett

2

On motion of Mr. B. J. Baldwin, and by unanimous consent, The bill entitled "An act to loan money to the trustees of the Oxford Academy," was recommitted to a select committee to report complete.

Mr. Speaker. announced as such committee Messrs. Baldwin, Benedict and Randall.

Mr. Clinton called up for the consideration of the House, the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the use of this Chamber be granted to Dr. Francis Bacon, of the city of New-York, on the evenings of the 29th and 30th inst., for the purpose of addressing the members of this Legislature, on the subject of the growth, greatness, and relative power of the city and State of New-York.

On motion of Mr. Peters,

Said resolution was laid on the table.

Mr. Case call up for the consideration of the House, the resolution heretofore offered by Mr. Benedict, and moved the following as a substitute:

Resolved, That it is expedient that the sense of the voters of this State, upon the prohibitory liquor law, be taken at the next general election.

On motion of Mr. Moseley Hutchinson,

Said resolution and substitute were laid on the table.

On motion of Mr. Weed,

Leave of absence was granted to Mr. Searing for three days.

On motion of Mr. McGraw,

Leave of absence was granted to Mr. Legg for three days.

On motion of Mr. Cushman,

Leave of absence was granted to Mr. Mills for two days.

Mr. Ward moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

{ AYES 05 }
{ NOES 57 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

aker	Collins	Conkling	Mather	Ward	6
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Those who voted in the negative are,

ngle	Cushman	Hull	McGraw	Seeley	
tken	Edwards	Jenkins	G. Miller	Sill	
iley	Fiero	Joy	Odell	Speaker	
arton	Gibbs	Kinney	Palmer	Stephens	
nnett	Gleason	Kirkland	Peters	Sterling	
ergen	Gott	Leigh	Randall	Suffern	
ardman	Hall	Littlefield	Robertson	Whitman	
argess	Harpur	Littlejohn	Rose	Wilson	
urnett	Harris	Lozier	Rowland	Wilder	
ase	Hatch	Mallory	Scott	Winne	
ook	Holdridge	May	Sessions	W. H. Wood	
mming	Hoyle				67

Mr. Lozier moved a call of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

After some proceedings thereon,

On motion of Mr. Littlejohn,

The call was suspended.

The hour for adjournment having arrived, Mr. Speaker declared the House adjourned.

MONDAY, MARCH 27, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Read.

The minutes of Saturday were read and approved.

On motion of Mr. Germain,

Leave of absence was granted to Mr. Conkling, until to-morrow.

On motion of Mr. Scott,

Leave of absence was granted to Mr. Martin, for one day.

On motion of Mr. Germain,

Leave of absence was granted to Mr. Wilder, for one day.

On motion of Mr. Gleason, and by unanimous consent,

The bill entitled "An act to improve the Sacandaga," was taken from the committee of the whole and referred to a select committee.

Mr. Backus presented the petition of 28 citizens of New-York city, asking increased wharfage; also of carmen of the city of

New-York, on the same subject, which were read and committed to the committee of the whole when on the bill on that subject.

Mr. Hatch presented the remonstrance of 100 inhabitants of Erie county, against any alteration of the plank road laws, which was read and referred to the committee on roads and bridges.

Mr. Littlejohn presented a remonstrance of citizens of Oswego, against repeal of the school law of that city, which was read and referred to the committee on colleges, academies and common schools.

Mr. Speaker presented a resolution adopted at the annual town meeting of the town of Lyons, in relation to the bank of Bainbridge, which was read and referred to the committee on banks.

Mr. Harris, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows:

"An act revising, amending and consolidating the several acts in relation to the village of Kingston," to Messrs. Weed, Savage and Gorham.

"An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the county of Niagara," to Messrs. Wilson, R. Dunlap and W. H. Wood.

"An act to regulate the speed of locomotive engines through the incorporated cities and villages of this State," to Messrs. Sill, Cumming and Bergen.

"An act to authorise the promotion of stage companies in the city of New-York, and to protect and regulate the same," to Messrs. Barrow and Graham.

"An act to erect a new county, by the name of Webster," to Messrs. Fiero, Cumming and Wilson.

"An act to incorporate the local preachers' association of the Methodist Episcopal church, New-York and Brooklyn," to Messrs. Leigh, Backus and Morris.

"An act to amend an act entitled 'An act establishing free schools throughout the State,' passed March 26, 1849," to Messrs. Savage, D. Willis and Ware.

"An act to repeal an act entitled 'An act to erect the town of Gardiner, in the county of Ulster,' passed April 2, 1853," to Messrs. Ward, Gorham and Cook.

Mr. McGraw, from the select committee to which was referred the bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the seamen's fund and retreat, and the government of the mariners' family asylum," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhab-

ants of Greene county, praying for a law to authorise the supervisors of the county of Greene to levy a tax on the town of Durham, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the supervisors of the county of Greene to raise money by tax," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, Said bill was referred to a select committee to report complete. Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the improvement of Racket river, and the tributaries thereof," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

On motion of Mr. Germain, and by unanimous consent, Said bill was recommitted to said committee to report complete. Mr. Benedict, from the select committee to which was referred the bill entitled "An act to authorise the town of Oxford to borrow money to aid in the construction of a railroad through said town, and to issue and negotiate bonds for that purpose," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading. Mr. G. Miller, from the select committee to which was referred the bill entitled "An act to amend an act regulating highways and bridges in the counties of Suffolk, Queens and Kings, passed February 23, 1830," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading. Mr. Peters, from the committee on railroads, to which was referred the bill entitled "An act authorising the president and trustees of the village of Binghamton, to take stock in the Utica and Binghamton railroad," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Angle, from the select committee to which was referred the bill entitled "An act to amend the Revised Statutes, in relation to the proof of wills," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act authorising the payment of \$2,500 on a draft dated October 21, 1853, for \$3,710.43 drawn by John C. Mather, late Canal Commissioner," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act to authorise the construction of a lateral canal in the county of Onondaga, at the owners' expense," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. R. J. Baldwin, from the select committee to which was referred the bill entitled "An act to loan money to the trustees of Oxford academy," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the select committee, to which was referred the bill entitled "An act to incorporate the Rochester gallery of the fine arts," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Harris, from the select committee to which was referred the bill entitled "An act to incorporate the Albany dime savings institution," to report complete, reported the same complete with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for improving the Sacandaga river," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act for the improvement of Racket river and the tributaries thereof," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bills be engrossed for a third reading

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to regulate the ferries between the city of Troy and the village of West Troy," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. A. A. Dunlop, and by unanimous consent,

Said bill was referred to a select committee, consisting of the Rensselaer and Albany delegations.

"An act making the village of Esperance, Schoharie county, a separate road district," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Barton, and by unanimous consent:

Said bill was referred to the committee on roads and bridges, to report complete.

"An act to amend an act entitled 'An act to authorise the construction of draw bridges over the Flushing and Newtown creeks,

in the counties of Queens and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to the New-York institution for the instruction of the deaf and dumb," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to repeal an act entitled 'An act to erect the town of Gardiner, in the county of Ulster,' passed April 2, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act to amend an act entitled 'An act for the supply of the city of Brooklyn with water,' passed June 3, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the act entitled 'An act to authorise the formation of gas light companies,' passed February 16, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend an act to establish free schools in district number five, in the town of Flushing, passed March 10, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

"An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing mining, mechanical or chemical purposes,' passed February 17, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act in relation to the law of libel," which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Palmer,

Said bill was referred to the committee on the judiciary, to report complete.

"An act to amend and consolidate the several acts in relation to the charter of the city of Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act to incorporate the Buffalo trust company,' passed April 16, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act declaring Alder meadow brook a public highway, and regulating the passage of logs and timber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the sixpenny savings bank, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to incorporate the New-York juvenile asylum,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the resolution relative to the claim of Daniel Jones, for forfeited lands.

A message from the Senate was received and read, informing that they had concurred, with an amendment, by striking out "10,000" and inserting "5,000," in the following resolution :

Resolved, (if the Senate concur,) That 10,000 copies of the annual report of the State Engineer and Surveyor on railroad statistics, be printed for the use of the Legislature, and 2,000 for the use of the State Engineer.

Ordered, That the Senate's amendment be amended by striking out "5,000" and inserting "50 extra copies for each member, officer and reporter."

A message from the Senate was received and read, informing that they had concurred in the amendment of the Assembly, to the amendment of the Senate.

Mr. Speaker announced the business in order, it being the third reading of bills.

On motion of Mr. Peters,

This order of business was laid upon the table.

By unanimous consent,

Mr. A. A. Dunlop asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Albany gas light company,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. A. A. Dunlop, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to incorporate the Young Men's literary association of the city of Williamsburgh," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent,
Said bill was referred to the Kings county delegation.

By unanimous consent,

Mr. Odell asked and obtained leave to introduce a bill entitled "An act to incorporate the village of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the city of Troy,' passed in 1816," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Edwards, and by unanimous consent,

Said bill was referred to the Rensselaer county delegation to report complete.

Mr. Speaker presented a communication from the Canal Commissioners, in relation to unlawful acts on the part of the Junction canal company, which was read and referred to the committee on canals.

On motion of Mr. Ferguson, and by unanimous consent,

Resolved, That Assembly bill No. 174, entitled "An act making an appropriation for the purpose of building a bridge across St. Regis river on the Indian reservation, in the county of Franklin," be referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. A. A. Dunlop gave notice that he would, at an early day, move to add the following as one of the standing rules of the House:

"No member shall address this House on any subject more than once, or more than fifteen minutes at a time, except by a vote of the majority of the House."

Ordered, That said motion be laid on the table.

On motion of Mr. Clinton, and by unanimous consent,

Resolved, That the Attorney General be requested to communicate to this House, to what extent this Legislature has power to establish and regulate ferries between the Canadas and this State, and if such powers were conferred upon the city of Buffalo, within her limits, by an act passed April 13, 1853.

On motion of Mr. Stephens,

Resolved, That Assembly bill No. 280, entitled "An act to erect the county of Canisteo," be referred to a select committee, with power to report complete.

Mr. Gibbs offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill No. 168, be recommitted to the committee of the whole, for the purpose of amending the same by striking out of the 29th section, all after the words "beggars and vagrants;" and in the 43d section, the words "associate judges," and insert in the place thereof "justices of sessions;" and in the 44th section, strike out all after the word "per annum," and to the word "office," inclusive.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 40 }
{ NOES 25 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Clinton	Gleason	Littlejohn	Stephens
Aitken	Collins	Harpur	Odell	Suffern
Barrow	Dewey	Hatch	Palmer	Ware
Barton	R. Dunlap	Holdridge	Preston	Whitman
Bancus	Edwards	Joy	Rose	Wilson
Beers	Ferguson	Kinney	Rowland	D. Willis
Bergen	Germain	Kirkland	Sharp	J. S. Wood
Burgess	Gibbs	Littlefield	Smalley	W. H. Wood 40

Those who voted in the negative are,

Backus	Boyd	Hall	McGraw	Seeley
R. J. Baldwin	Cass	Hoyle	Morris	Speaker
Benedict	Cook	Jenkins	Peters	Ward
Bennett	A. A. Dunlop	Lozier	Robertson	Williams
Boardman	Fiero	May	Scott	Winne 25

Mr. Speaker designated Tuesday, March 28th, immediately after the reading of the journal, as the time for commencing the third reading of bills, under the special rule adopted on the 24th inst., there being upwards of twenty bills now ready for a third reading.

On motion of Mr. R. Dunlap, and by unanimous consent,

The bill entitled "An act to amend the charter of the village of Lockport," was ordered to a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to erect the county of Canisteo."

Pending consideration thereof,

At half-past one o'clock p. m., Mr. Speaker resumed the chair and announced that the House would take a recess until half-past three o'clock, p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Harris, from the select committee to which was referred the bill entitled "An act relative to the construction of railroads in cities," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Case, from the select committee to which was referred the bill entitled "An act to amend chapter two hundred and eighty-one of the Session Laws of 1836, entitled "An act to protect sidewalks along highways," passed May 10, 1836," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. A. Dunlop, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Buffalo Trust company,' passed April 16, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New-York Juvenile Asylum,' passed June 30, 1853," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to close a part of the road of the Ravenswood, Halletts Cove and Williamsburgh turnpike and bridge company, in the county of Kings," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend the charter of the Church Charity Foundation, in the county of Kings," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Backus, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Young Men's Library Association, of the city of Williamsburgh," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act for the better regulation of opening streets in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act to incorporate the village of Greene, Chemung co.,

passed April 12, 1842," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cook, from the committee on the erection and division of towns and counties, to which was referred the Senate bill entitled "An act to repeal an act entitled 'An act to erect the town of Gardiner, in the county of Ulster,' passed April 12, 1842," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Dewey, and by unanimous consent,

Resolved, That the bill entitled "An act providing for the publication of the results of meteorological observations made under the direction of the Regents of the University, from the year one thousand eight hundred and twenty-five to one thousand eight hundred and fifty, inclusive," be ordered to a third reading.

On motion of Mr. A. A. Dunlop, and by unanimous consent,

Resolved, That the bill to authorise the Canal Appraisers to hear and determine the claim of Talcott, Hale and Garrittson, for the loss of a canal boat, be referred to the committee on canals to report complete.

Mr. Fiero, from the select committee to which was referred the bill entitled "An act to erect the county of Webster," to report complete, reported the same complete without amendment.

Mr. Joy moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Joy, and it was determined in the affirmative, as follows :

{ AYES 46 }
{ NOES 21 }

Those who voted in the affirmative are,

Angle	Burgess	Holdridge	May	Sessions
Aitken	Burnett	Howell	McGraw	Sharp
Baker	Case	Jenkins	Morris	Smalley
Backus	Chesebro	Joy	Odell	Sterling
R. J. Baldwin	Conkling	Kinney	Peters	Whitman
S. Baldwin	A. A. Dunlop	Kirkland	Preston	Wilder
Barton	R. Dunlap	Legg	Robertson	Williams
Baucus	Germain	Leigh	Rose	Winne
Beers	Gleason	Littlejohn	Scott	W. H. Wood
Benedict				46

Those who voted in the negative are,

Barrow	Collins	Hoyle	Palmer	Stephens
Bennett	Dewey	Littlefield	Rowland	Suffern
Bergen	Fiero	Lozier	Sill	Ward
Boyd	Hatch	G. Miller	Speaker	Wilson
Cook				21

Mr. Barrow, from the select committee to which was referred the bill entitled "An act to authorise the formation of stage companies in the city of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to enable the children of Robert Borell and Sarah his wife, to take and hold real estate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. G. Miller, from the select committee to which was referred the bill entitled "An act authorising a tax upon taxable inhabitants of the town of Shawangunk, for payment of certain costs and expenses incurred by John M. Schoonmaker and Jacob Clearwater, late overseers of the poor in said town, in four several suits in the supreme court, while acting as such overseers," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The select committee, to which was referred the bill entitled "An act to enable the Seneca and Wayne plank road company to remove their gate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Angle, and by unanimous consent,

Resolved, That Assembly bill No. 358, being an act providing for the appraisal of damages by the diversion of the waters of the Genesee river to supply the Erie and Genesee Valley canals, be made the special order for Friday next, immediately after the reading of the journal.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to libel," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Burnett, from the select committee, to which was referred the bill entitled "An act authorising the Comptroller to loan money from the common school fund to the county of Wayne," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act to organise and establish a recorder's court in the city of Buffalo, passed April 20, 1837," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Ward, from the select committee to which was referred the bill entitled "An act revising, amending and consolidating the several acts in relation to the village of Kingston," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act establishing free schools throughout the State,' passed March 26, 1849," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a communication from David Clark and Nelson L. White, tendering an invitation to the members and officers of the Assembly to be present and assist in the ceremonies of the erection of the monument to the memory of Major General Wooster, on the 27th March, at Danbury, Conn.

Mr. Conkling, from the select committee to which was referred the bill entitled "An act to amend the charter of the agricultural insurance company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Moseley Hutchinson,

Leave of absence was granted Mr. Mathias Hutchinson for one week.

On motion of Mr. Barrow,

Leave of absence was granted to Mr. Ware until Thursday.

On motion of Mr. Lozier,

Leave of absence was granted him for the remainder of the session.

On motion of Mr. Peters,

Leave of absence was granted to Mr. Edwards for the remainder of the session.

On motion of Mr. Harpur,

Leave of absence was granted to him until Thursday.

On motion of Mr. D. Willis,

Leave of absence was granted him to attend court at New-York during this week.

Mr. Savage presented the 11th annual report of the American Institute, of the city of New-York.

Mr. Savage offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the same number of copies of the annual report of the American Institute, for the use of the members, be printed as were printed last year, and that the Institute be furnished with 750 copies for its use.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Germain, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act declaring Alder meadow brook a public highway, and regulating the passage of logs and timber down the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Germain, and by unanimous consent,

The committee of the whole was discharged from the consideration of the bill entitled "An act to amend an act entitled 'An act to organise and establish a recorder's court in the city of Buffalo, and for other purposes,' passed April 20, 1839," and said bill was referred to the committee on the judiciary, as a select committee to report complete.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making provision for the support of the government, for the fiscal year, commencing October 1, 1854."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Angle, from said committee, reported, that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Lozier, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Dansville,'" and that the same be ordered to a third reading.

On motion of Mr. R. J. Baldwin, and by unanimous consent,

The bill entitled "An act to increase the common school fund, and to provide for a more elevated system of free education," was taken from the committee of the whole and referred to a select committee.

Mr. Speaker announced as such committee Mr. R. J. Baldwin.

Mr. Peters moved that the proceedings, under the call of the House on Saturday, be entered at length on the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

On motion of Mr. Littlejohn, and by unanimous consent,

The bill entitled "An act for the erection of a new county, to be called Webster," was taken from the table.

Mr. Joy moved to recommit the aforesaid bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Joy, and it was determined in the negative.

Mr. Littlejohn, from the committee on canals, to which was referred the bill entitled "An act for the appraisement of damages of Talcott and Hale, and Garrison, in consequence of the loss of a canal boat," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act to amend an act in relation to the incorporation of the village of Leroy," passed May 5, 1834."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of West Farms, in the county of Westchester, and Watervleit, in the county of Albany."

On motion of Mr. A. A. Dunlop, and by unanimous consent,

Ordered, That said bill do have its third reading.

The House then resolved itself into a committee of the whole upon the unfinished business, being the bill entitled as follows:

"An act to erect the county of Canistota."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Sill, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Stephens moved that the committee of the whole be discharged from further consideration thereof, and that said bill be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stephens, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree with the report of the committee, and it was determined in the affirmative.

Mr. Palmer, from the committee on public printing, to which was referred the bill entitled "An act designating the State paper," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Sessions, and by unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Angle, from the select committee, to which was referred the petition of various persons, praying for the just and equal rights of women, reported in writing, and asked and obtained leave to bring in a bill entitled "An act relative to the rights of married women," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Boardman moved that 2,000 extra copies of the report on woman's rights be printed.

Ordered, That said report be referred to the committee on public printing.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn,' passed April 4, 1850," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn," passed April 10, 1852," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Cumming, from the committee on trade and manufactures, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cumming, from the committee on trade and manufactures, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise the formation of gas light companies,' passed February 16, 1848," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Case moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate town insurance companies," and that the same be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Case, and it was determined in the negative.

On motion of Mr. R. Dunlap,

At ten minutes past seven o'clock p. m., the House adjourned.

TUESDAY, MARCH 28, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act to extend the time for the collection of taxes in the town of West Farms, in the county of Westchester, and of the town of Watervliet, in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesbro	Hatch	Munroe	Thorn
Bailey	Cook	Holdridge	Palmer	Underwood
Baker	Collins	Howell	Peters	Ward
Backus	Conkling	Hoyle	Preston	Wart
R. J. Baldwin	Cost	Mos. Hutchinson	Randall	Whipple
S. Baldwin	Cumming	Joy	Robertson	White
Barton	R. Dunlap	Kirkland	Rowland	Whitman
Baucus	Edwards	Leigh	Savage	Wilson
Biers	Ferguson	Maguire	Scott	Wilder
Benedict	Fiero	Mather	Seeley	D. Willis
Bennett	Germain	May	Sill	J. E. Willis
Boardman	Gibbs	McGraw	Speaker	Williams
Bostwick	Gleason	McMurray	Stephens	Winne
Boyd	Gott	G. Miller	Sterling	D. P. Wood
Burgess	Hall	Mitchell	Suffern	J. S. Wood
Burnett	Harpur	Morris	Thompson	W. H. Wood
Case				

81

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, to the bill entitled as follows :

"An act creating the office of State Superintendent of common schools."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows, to wit :

"An act in relation to the Mohawk and Newport plank road company."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend the act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April 20, 1832."

Mr. Burgess moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burgess, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hoyle	Palmer	Suffern
Bailey	Cumming	Mos. Hutchinson	Peters	Thompson
Baker	Dawson	Jenkins	Randall	Thorn
Backus	A. A. Dunlop	Joy	Robertson	Underwood
R. J. Baldwin	R. Dunlap	Kirkland	Rowland	Ward
Barton	Edwards	Leigh	Savage	Wart
Baucus	Ferguson	Littlefield	Scott	Whipple
Beers	Fiero	Maguire	Sessions	Whitman
Benedict	Germain	May	Seeley	Wilder
Bennett	Gibbs	McGraw	Sharp	D. Willis
Bergen	Gleason	McMurray	Sill	J. E. Willis
Boardman	Gott	G. Miller	Smalley	Williams
Burgess	Hall	Mitchell	Speaker	Winne
Burnett	Harpur	Munroe	Stephens	J. S. Wood
Case	Hatch	Odell	Sterling	W. H. Wood
Chesebro	Howell			

77

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act to authorize Charles D. Adams to sell and convey the real estate of George Hobiser, a convict now imprisoned in the State prison at Auburn, under and by virtue of a power of attorney from said Hobiser," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Hall	Mitchell	Sterling
Bailey	Chesebro	Harpur	Morris	Suffern
Baker	Clin on	Harris	Munroe	Thompson
Backus	Cook	Hatch	Odell	Thorn
R. J. Baldwin	Collins	Holdridge	Palmer	Underwood

S. Baldwin	Conkling	Howell	Peters	Ward
Barrow	Coat	Hoyle	Preston	Whipple
Barton	Cumming	Mos. Hutchinson	Randall	Whitman
Baucus	Dawson	Joy	Richardson	Wilson
Beers	A. A. Dunlop	Kirkland	Rowland	Wilder
Benedict	R. Dunlap	Legg	Scott	D. Willis
Bennett	Ferguson	Leigh	Seeley	J. E. Willis
Boardman	Fiero	May	Sharp	Winne
Bostwick	Germain	McGraw	Sill	J. S. Wood
Boyd	Gibbs	McMurray	Speaker	W. H. Wood
Burnett	Graham	S. F. Miller		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of John Dillenback," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Burnett	Harpur	Mitchell	Suffern
Bailey	Collins	Harris	Morris	Thompson
Baker	Conkling	Holdridge	Munroe	Thorn
Backus	Crocheron	Howell	Odell	Underwood
R. J. Baldwin	Cumming	Hoyle	Palmer	Ward
S. Baldwin	A. A. Dunlop	Hull	Peters	Wart
Barrow	R. Dunlap	Mos. Hutchinson	Rowland	Whipple
Barton	Edwards	Jenkins	Savage	White
Baucus	Ferguson	Joy	Scott	Whitman
Beers	Fiero	Kirkland	Seeley	Wilson
Benedict	Germain	Legg	Sharp	Wilder
Bergen	Gibbs	Leigh	Smalley	Wiame
Boardman	Gleason	Maguire	Speaker	D. P. Wood
Bostwick	Gott	May	Stephens	J. S. Wood
Boyd	Graham	McGraw	Sterling	W. H. Wood
Bargus	Hall			

77

Those who voted in the negative are,

Case Clifton

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relative to assessors in the town of Oswegatchie, in the county of St. Lawrence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harris	Mitchell	Speaker
Altken	Chesebro	Hatch	Morris	Stephens
Bailey	Cook	Holdridge	Munroe	Sterling
Baker	Collins	Howell	Odell	Suffern
Backus	Conkling	Hoyle	Palmer	Thompson
S. Baldwin	Crocheron	Mos. Hutchinson	Peters	Thorn
Barrow	A. A. Dunlop	Jenkins	Preston	Ward
Barton	R. Dunlap	Legg	Richardson	Whipple
Baucus	Edwards	Leigh	Robertson	Whitman
Beers	Ferguson	Lozier	Rowland	Wilson
Benedict	Fiero	Maguire	Savage	Wilder
Bennett	Germain	May	Sessions	D. Willis
Boardman	Gleason	McGraw	Seeley	J. E. Willis
Boatwick	Gott	McMurray	Sharp	Winne
Boyd	Hall	L. Miller	Sill	J. S. Wood
Burgess	Harpur	S. F. Miller	Smalley	W. H. Wood
Burnett				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the criminal expenses of the town of Watervliet, in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Hall	Munroe	Sterling
Altken	Case	Harpur	Odell	Suffern
Bailey	Chesebro	Hatch	Palmer	Thompson
Baker	Clinton	Holdridge	Peters	Thorn
Backus	Collins	Hollenbeck	Preston	Underwood
S. Baldwin	Conkling	Howell	Richardson	Ward
Barrow	Cost	Mos. Hutchinson	Robertson	Wart
Barton	Crocheron	Jenkins	Rose	Whitman
Baucus	A. A. Dunlop	Joy	Rowland	Wilson
Beers	R. Dunlap	Legg	Savage	Wilder
Benedict	Edwards	Leigh	Scott	D. Willis
Bennett	Ferguson	May	Sessions	J. E. Willis
Bergen	Fiero	McGraw	Seeley	Winne
Boardman	Germain	McMurray	Sharp	D. P. Wood
Boatwick	Gleason	G. Miller	Speaker	J. S. Wood
Boyd	Gott	S. F. Miller	Stephens	W. H. Wood
Burgess	Graham	Mitchell		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of gas light companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Hall	Odell	Stephens
Bailey	Chesebro	Harris	Palmer	Sterling
Baker	Cook	Hatch	Peters	Suffern
Backus	Collins	Howell	Preston	Thompson
S. Baldwin	Conkling	Hoyle	Randall	Thorn
Barrow	Crocherson	Mos. Hutchinson	Richardson	Ward
Barton	Dawson	Jenkins	Robertson	White
Baucus	A. A. Dunlop	Kirkland	Rose	Whitman
Beers	R. Dunlap	Leigh	Savage	Wilson
Benedict	Edwards	Littlefield	Scott	Wilder
Bennett	Ferguson	Mather	Sessions	D. Willis
Bergen	Fiero	May	Seeley	J. E. Willis
Boardman	Germain	McGraw	Sharp	Winne
Bestwick	Gibbs	McMurray	Sill	D. P. Wood
Byd	Gleason	Mitchell	Smalley	J. S. Wood
Burgess	Gott	Munroe	Speaker	W. H. Wood
Burnett				

81

For the negative,

Aitken

1

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Lansingburgh Female Seminary," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 91 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Chesebro	Harpur	S. F. Miller	Smalley
Aitken	Cook	Harris	Mitchell	Stephens
Bailey	Collins	Hatch	Morris	Sterling
Baker	Conkling	Holdridge	Munroe	Suffern
Backus	Cost	Howell	Palmer	Thorn
S. Baldwin	Crocherson	Hoyle	Peters	Underwood
Barrow	Cumming	Mos. Hutchinson	Preston	Wart
Barton	Dawson	Joy	Randall	Weed
Baucus	A. A. Dunlop	Kinney	Richardson	Whipple
Beers	R. Dunlap	Kirkland	Robertson	White
Benedict	Edwards	Legg	Rose	Whitman
Bennett	Ferguson	Leigh	Rowland	Wilson
Bergen	Fiero	Littlefield	Savage	Wilder
Boardman	Germain	Maguire	Scott	D. Willis
Bestwick	Gibbs	Mather	Sessions	J. E. Willis

Boyd	Gleason	May	Seeley	D. P. Wood
Burgess	Gott	McGraw	Sharp	J. S. Wood
Burnett	Graham	G. Miller	Sill	W. H. Wood
Case				81

Those who voted in the negative are,

Speaker	Ward	Winne	8
---------	------	-------	---

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district," coming up for its third reading,

On motion of Mr. Gleason, and by unanimous consent,

Said bill was amended by adding the following section :

§ 2. The trustees of said village, in their discretion, may cause a portion (not exceeding one-third) of the highway labor assessed upon the inhabitants and property in said village to be performed without the bounds of said village, and on any road or roads within two miles thereof, on the approbation of the commissioners of highways having charge of such road or roads.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Munroe	Speaker
Bailey	Crocheron	Mos Hutchinson	Odell	Stephens
Backus	Dawson	Jenkins	Palmer	Sterling
S. Baldwin	R. Dunlap	Joy	Peters	Suftern
Barrow	Edwards	Kinney	Preston	Thompson
Barton	Ferguson	Kirkland	Randall	Thorn
Boers	Fiero	Legg	Robertson	Underwood
Benedict	Germain	Leigh	Rose	Ward
Bennett	Gleason	Littlefield	Rowland	Whipple
Borgan	Gott	Mather	Savage	White
Boardman	Hall	May	Scott	Whitman
Boetwick	Harpur	McGraw	Sessions	Wilson
Boyd	Harris	McMurray	Seeley	J. E. Willis
Burgess	Hatch	S. F. Miller	Sharp	Winne
Case	Holdridge	Mitchell	Sill	J. S. Wood
Chasebro	Howell	Morris	Smalley	W. H. Wood
Cook				81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the drainage of a part of the Rome swamps, in the town of Rome, in the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

Attken	Case	Hall	Munroe	Thompson
Bailey	Chesebro	Harpur	Palmer	Thorn
Baker	Cook	Hatch	Preston	Underwood
Backus	Collins	Holdridge	Rose	Ward
S. Baldwin	Conkling	Hoyle	Rowland	Wart
Barrow	Cost	Mos. Hutchinson	Scott	Whipple
Baucus	Crocheron	Jenkins	Searing	White
Beers	Dawson	Joy	Sessions	Whitman
Benedict	A. A. Dunlop.	Kinnéy	Seeley	Wilson
Bennett	R. Dunlap	Kirkland	Sharp	Wilder
Bergen	Edwards	Legg	Sill	D. Willis
Boardman	Fiero	Leigh	Smailey	J. E. Willis
Bostwick	Gibbs	Littlefield	Speaker	Winne
Boyd	Gleason	G. Miller	Stephens	D. P. Wood
Burgess	Gott	Mitchell	Sterling	J. S. Wood
Burnett	Graham	Morris	Suffern	W. H. Wood

For the negative,

Randall

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Turnverein, in the city of New-York," coming up for its third reading,

Mr. Backus moved to recommit said bill with instructions to strike out the first section.

Mr. Sharp moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 58 }
{ NOES 30 }

Those who voted in the affirmative, are

Angle	Bostwick	Fiero	Legg	Smalley
Altken	Case	Gibbs	Maguire	Speaker
Bailey	Chesebro	Gleason	McGraw	Thorn
Baker	Cook	Gott	McMurray	Ward
R. J. Baldwin	Conkling	Graham	Mitchell	Whipple
Barrow	Cost	Hall	Morris	Whitman
Baucus	Crocheron	Harpur	Peters	Wilson
Beers	Cumming	Harris	Scott	J. E. Willis
Benedict	Dawson	Hatch	Sessions	Williams
Bennett	A. A. Dunlop	Holdridge	Seeley	Winne
Bergen	R. Dunlap	Mos. Hutchinson	Sharp	D. P. Wood
Boardman	Ferguson	Jenkins		58

Those who voted in the negative are,

Backus	Hoyle	G. Miller	Rose	Underwood
Barton	Joy	Munroe	Rowland	White
Burgess	Kinney	Palmer	Sill	Wilder
Burnett	Kirkland	Preston	Sterling	D. Willis
Clinton	Leigh	Randall	Suffern	J. S. Wood
Howell	Mather	Richardson	Thompson	W. H. Wood 80

Mr. Burnett moved a reconsideration of the vote just taken.

On motion of Mr. J. E. Willis;

Said motion was laid on the table.

The bill entitled "An act providing for compensation to the county treasurer of the county of Kings, for services rendered by him under the act of April 12, 1848, relating to funds and securities in possession of the clerk of the court of appeals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present; as follows:

{ AYES 88 }
{ NOES 02 }

Those who voted in the affirmative, are,

Angle	Chesebro	Hatch	Mitchell	Sterling
Bailey	Cook	Holdridge	Morris	Thompson
Baker	Conkling	Hoyle	Munroe	Thorn
Backus	Cost	Mos. Hutchinson	Odell	Underwood
R. J. Baldwin	Crocheron	Jenkins	Palmer	Ward
S. Baldwin	Cumming	Joy	Preston	Wart
Barrow	Dawson	Kinney	Randall	White
Barton	A. A. Dunlop	Kirkland	Richardson	Whitman
Baucus	E. Dunlap	Legg	Robertson	Wilson
Beers	Edwards	Leigh	Rowland	Wilder
Benedict	Ferguson	Littlefield	Savage	D. Willis
Bennett	Fiero	Maguire	Scott	J. E. Willis
Bergen	Germain	Mather	Sessions	Williams
Boardman	Gleason	May	Seeley	Winne
Bostwick	Gott	McGraw	Sharp	D. P. Wood
Burgess	Hall	McMurray	Smalley	J. S. Wood
Burnett	Harpur	G. Miller	Speaker	W. H. Wood
Case	Harris	S. F. Miller		88

Those who voted in the negative are,

Peters

Suffern

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to allow Peter Comstock pay for services rendered in improving the Ausable river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in vavor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	Mitchell	Speaker
Bailey	Conkling	Howell	Morris	Sterling
Baker	Cost	Hoyle	Odell	Suffern
Backus	Crocheron	Hull	Palmer	Thorn
R. J. Baldwin	Cummaing	Mos. Hutchinson	Peters	Underwood
S. Baldwin	Dawson	Jenkins	Preston	Ward
Barton	A. A. Dunlop	Joy	Randall	Whipple
Beers	R. Dunlap	Kinney	Richardson	White
Benedict	Ferguson	Kirkland	Robertson	Whitman
Bennett	Fiero	Legg	Rose	Wilson
Bergen	Germain	Leigh	Rowland	Wilder
Boardman	Gleason	Littlefield	Scott	D. Willis
Bostwick	Gott	Mather	Sessions	J. E. Willis
Burgess	Hall	May	Seeley	Williams
Burnett	Harpur	McGraw	Sharp	Winne
Case	Harris	McMurray	Sill	W. H. Wood
Chesebro	Hatch	S. F. Miller	Smalley	84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the River Head Canal and Mill Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Harpur	Mitchell	Speaker
Aitken	Case	Harris	Morris	Stephens
Bailey	Chesebro	Hatch	Munroe	Sterling
Baker	Cook	Holdridge	Odell	Suffern
Backus	Conkling	Hoyle	Palmer	Underwood
R. J. Baldwin	Cost	Hull	Peters	Ward
S. Baldwin	Crocheron	Mos. Hutchinson	Preston	Whipple

Barton	Gunning	Jenkins	Randall	White
Baucus	Dawson	Joy	Richardson	Whitman
Beers	A. A. Dunlop	Kirkland	Robertson	Wilson
Benedict	E. Dunlap	Legg	Rose	B. Willis
Bennett	Edwards	Leigh	Rowland	J. E. Willis
Bergen	Fiero	Littlefield	Savage	Winne
Boardman	Germain	Maguire	Scott	D. P. Wood
Bostwick	Gleason	McMurray	Sessions	J. S. Wood
Boyd	Gott	G. Miller	Seeley	W. H. Wood
Burgess	Hall	S. F. Miller	Smalley	

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorise the election of a police justice in the town of Newburgh, passed March 2, 1850,' passed April 16, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Burgess	Graham	Mitchell	Stephens
Bailey	Burnett	Hall	Morris	Sterling
Baker	Case	Harpur	Munroe	Suffern
Backus	Chesebro	Harris	Nelson	Thorn
R. J. Baldwin	Cook	Hatch	Odell	Underwood
S. Baldwin	Conkling	Hoyle	Palmer	Ward
Barrow	Cost	Hull	Peters	Wart
Barton	Cumming	Mos. Hutchinson	Preston	Whipple
Baucus	Dawson	Jenkins	Randall	White
Beers	A. A. Dunlop	Joy	Rose	Whitman
Benedict	R. Dunlap	Kinney	Rowland	Wilson
Bennett	Edwards	Kirkland	Savage	J. E. Willis
Bergen	Ferguson	Legg	Sessions	Williams
Boardman	Fiero	Leigh	Seeley	Winne
Bostwick	Germain	Littlefield	Sharp	D. P. Wood
Boyd	Gleason	May	Smalley	J. S. Wood
Brust	Gott	S. F. Miller	Speaker	W. H. Wood

85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to repeal an act entitled 'An act relative to the purchase and laying out of certain lands for a public park in the 19th ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty in relation thereto,' passed July 21, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The bill entitled "An act to provide for inquiring into the causes of fires and to prevent incendiarism," coming up for its third reading,

Mr. Clinton moved to recommit said bill with instructions to amend the same so as to except the city of New-York from its provisions.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Bergen moved to recommit said bill with instructions to amend the same so as to except the county of Kings from its provisions.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the negative.

Mr. Williams moved to recommit said bill with instructions to amend the same so as to except any county, in which there is a city, from its provisions.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 42 }
{ NOES 42 }

Those who voted in the affirmative are,

Angle	Ferguson	Hoyle	Munroe	Speaker
S. Baldwin	Fiero	Hull	Odell	Sterling
Bennett	Germain	Mos. Hutchinson	Randall	Suffern
Boardman	Gleason	Kinney	Richardson	White
Case	Gott	Kirkland	Robertson	Whitman
Cook	Hall	Maguire	Scott	Wilson
Conkling	Harris	McGraw	Seeley	Winne
Cumming	Hatch	Mitchell	Sill	W. H. Wood
Edwards.	Holdridge			

42

Those who voted in the negative are,

Aitken	Boyd	Gibbs	G. Miller	Savage
Baker	Burgess	Graham	S. F. Miller	Smalley
Backus	Burnett	Harpur	Morris	Underwood
R. J. Baldwin	Chesebro	Jenkins	Palmer	Ward
Barton	Collins	Legg	Peters	D. Willis
Baucus	Cost	Leigh	Preston	Williams
Beers	Crocheron	May	Roe	D. P. Wood
Benedict	A. A. Dunlap	McMurray	Rowland	J. S. Wood
Bergen	R. Dunlap			

43

Mr. D. P. Wood moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

{ AYES . 74 }
{ NOES 01 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Collins	Harpur	S. F. Miller	Speaker
Aitken	Conkling	Harris	Mitchell	Stephens
Backus	Cost	Hatch	Morris	Sterling
R. J. Baldwin	Crocheron	Hall	Munroe	Steffen
S. Baldwin	Cummings	Mos. Hutchinson	Odell	Thorn
Barton	Dawson	Jenkins	Palmer	Ward
Benedict	A. A. Dunlop	Joy	Peters	White
Bennett	Ferguson	Kinney	Richardson	Whitman
Bergen	Fiero	Kirkland	Robertson	Wilson
Boyd	Germain	Legg	Rose	D. Willis
Burgess	Gibbs	Leigh	Rowland	Williams
Burnett	Gleason	Maguire	Savage	D. P. Wood
Case	Gott	May	Scott	J. S. Wood
Chesebro	Graham	McGraw	Seeley	W. H. Wood
Cook	Hall	McMurray	Sill	

74

For the negative,

R. Dunlap

1

On motion of Mr. D. P. Wood,

Said bill was referred to a select committee to report forthwith complete.

Mr. Speaker announced as such committee Messrs. Sill, Moseley Hutchinson, D. P. Wood, Harris and Boardman.

The bill entitled "An act to enable the Comptroller to admit certain taxes levied on non-resident lands in the county of Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Gleason	S. F. Miller	Thompson
Bailey	Burnett	Gott	Mitchell	Thorn
Baker	Case	Graham	Morris	Underwood
Backus	Chesebro	Hall	Munroe	Ward
R. J. Baldwin	Cook	Harris	Palmer	Whipple
S. Baldwin	Collins	Holdridge	Peters	White
Barrow	Conkling	Hoyle	Richardson	Whitman
Barton	Cost	Mos. Hutchinson	Robertson	Wilson
Baucus	Crocheron	Joy	Rose	Wilder
Beers	Cumming	Kinney	Scott	D. Willis

Benedict	Dawson	Kirkland	Seeley	J. E. Willis
Bennett	A. A. Dunlop	Littlefield	Sharp	Winne
Bergen	R. Dunlap	Maguire	Sill	D. P. Wood
Boardman	Ferguson	May	Stephens	J. S. Wood
Bostwick	Fiero	McMurray	Sterling	W. H. Wood
Boyd	Gibbs	G. Miller	Suffern	

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapters two hundred and two and four hundred and fifty-nine, of the Session Laws of 1853, in relation to the Dutchess turnpike company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 04 }

Those who voted in the affirmative are,

Aitken	Cook	Hull	Morris	Stephens
Bailey	Collins	Mos. Hutchinson	Munroe	Sterling
Baker	Conkling	Jenkins	Palmer	Suffern
Backus	Cost	Joy	Peters	Thompson
R. J. Baldwin	Cumming	Kinney	Preston	Underwood
S. Baldwin	Dawson	Kirkland	Randall	Ward
Barrow	R. Dunlap	Legg	Richardson	Whipple
Baucus	Edwards	Leigh	Rose	White
Beers	Ferguson	Littlefield	Rowland	Whitman
Benedict	Fiero	Maguire	Savage	Wilder
Bennett	Germain	May	Scott	J. E. Willis
Bergen	Graham	McGraw	Sessions	Winne
Burgess	Hall	G. Miller	Seeley	D. P. Wood
Cass	Harpur	S. F. Miller	Sill	J. S. Wood
Chesebro	Harris	Mitchell	Smalley	W. H. Wood
Clinton	Hatch			

77

Those who voted in the negative are, .

Barton	A. A. Danlop	Gott	Thorn
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4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Yonkers' savings bank," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burnett	Gott	McMurray	Sill
Bailey	Cass	Hall	Mitchell	Smalley

Baker	Cook	Harpur	Morris	Speaker
Backus	Collins	Harris	Munroe	Stephens
R. J. Baldwin	Conkling	Hatch	Odell	Suffern
S. Baldwin	Cost	Jenkins	Palmer	Underwood
Barrow	Cumming	Joy	Preston	Whipple
Baucus	Cushman	Kinney	Richardson	White
Beers	Dawson	Kirkland	Robertson	Wilson
Benedict	A. A. Dunlop	Legg	Rose	Wilder
Bennett	R. Dunlap	Leigh	Rowland	D. Willis
Bergen	Edwards	Littlefield	Savage	J. E. Willis
Boardman	Ferguson	Mather	Scott	Winne
Boetwick	Fiero	May	Seeley	D. P. Wood
Boyd	Germain	McGraw	Sharp	J. S. Wood
Burgess	Gibbs			

77

For the negative,

Ward

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows, to wit:

"An act to change the name of the First Congregational Society, in the city of Batavia."

"An act to authorise the people in the town of Brookhaven to choose an additional number of justices of the peace and assessors."

"An act to amend the act entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts,' passed July 19, 1853."

"An act to repeal the highway law in the county of Richmond."

"An act for the relief of Thomas Canovan, Thomas Sausse, James Brody and Hugh Kelly."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill entitled "An act to declare the village of Ovid, in the county of Seneca, a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Morris	Speaker
Bailey	Cost	Hull	Munroe	Stephens
Baker	Crocheron	Jenkins	Odell	Sterling
S. Baldwin	Cumming	Joy	Palmer	Suffern
Barrow	Dawson	Kinney	Peters	Thompson
Barton	A. A. Dunlop	Kirkland	Preston	Underwood
Baucus	R. Dunlap	Lee	Randall	Ward
Benedict	Ferguson	Legg	Richardson	Whipple
Bennett	Germain	Leigh	Robertson	Whitman

Bergen	Gibbs	Maguire	Rose	Wilson
Boardman	Gleason	Mather	Rowland	Wilder
Burgess	Graham	May	Scott	J. E. Willis
Case	Hall	McGraw	Seeley	Winne
Chesbrough	Harpur	McMurray	Sharp	D. P. Wood
Cook	Hatch	S. F. Miller	Sill	J. S. Wood
Collins	Howell	Mitchell	Smalley	W. H. Wood 80

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act for the preservation of the Oswego Falls bridge at Fulton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harpur	Palmer	Speaker
Bailey	Conkling	Harris	Peters	Suffern
Baker	Cost	Hatch	Preston	Thorn
Backus	Crocheron	Hoyle	Robertson	Underwood
S. Baldwin	Cumming	Hull	Rose	Whipple
Barton	A. A. Dunlop	Mos. Hutchinson	Rowland	White
Bancus	R. Dunlap	Jenkins	Savage	Whitman
Bennett	Fiero	Joy	Scott	Wilder
Bergen	Germain	Kirkland	Sessions	D. Willis
Brust	Gibbs	Leigh	Seeley	J. E. Willis
Burgess	Gleason	Littlefield	Sharp	Winne
Burnett	Gott	McMurray	Sill	D. P. Wood
Case	Hall	Munroe	Smalley	W. H. Wood 80
Clinton				

Ordered, That the clerk deliver said bill to the Senate; and request their concurrence therein.

The bill entitled "An act to amend the charter of the Schoharie Kill bridge company," coming up for its third reading.

On motion of Mr. Peters,

Said bill was laid upon the table.

The bill entitled "An act to amend an act to authorize the Hammondsport and Bath plank road company to abandon a part of their road without completing the same, passed April 12, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hatch	Odell	Speaker
Bailey	Collins	Holdridge	Pahner	Stephens
Baker	Conkling	Howell	Peters	Sterling
Backus	Cost	Hoyle	Preston	Suffern
R. J. Baldwin	Crocheron	Jenkins	Randall	Ward
S. Baldwin	Cumming	Joy	Richardson	Wart
Barton	Dawson	Kinney	Rose	Whipple
Benedict	A. A. Dunlop	Kirkland	Rowland	White
Bennett	E. Dunlap	Leigh	Savage	Whitman
Bergen	Fiero	Littlefield	Scott	Wilder
Boardman	Germain	Maguire	Sessions	D. Willis
Brust	Gibbs	McMurray	Seeley	J. E. Willis
Burgess	Gleason	Morris	Sharp	Winne
Burnett	Graham	Munroe	Sill	D. P. Wood
Case	Hall	Nelson	Smalley	W. H. Wood
Chesebro	Harris			

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to police justices and their duties, and the officers of police courts in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burnett	Gott	Littlefield	Stephens
Aitken	Case	Graham	Maguire	Sterling
Bailey	Chesebro	Hall	McMurray	Suffern
Baker	Clinton	Hatch	S. F. Miller	Ward
Backus	Cook	Holdridge	Morris	Wart
R. J. Baldwin	Conkling	Howell	Odell	Whipple
S. Baldwin	Crocheron	Hoyle	Peters	White
Barrow	Cumming	Hull	Rowland	Whitman
Barton	Dawson	Mos. Hutchinson	Savage	Wilson
Baucus	A. A. Dunlop	Jenkins	Scott	Wilder
Beers	Ferguson	Joy	Seeley	D. Willis
Benedict	Fiero	Kinney	Sharp	J. E. Willis
Bennett	Germain	Kirkland	Sill	Winne
Bergen	Gibbs	Leigh	Smalley	D. P. Wood
Brust	Gleason		Speaker	W. H. Wood
Burgess				

76

For the negative,

Underwood

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act to simplify the manner of collecting arrears of taxes, assessments and regular rents of Croton water, in the city and county of New-York, passed July 20, 1853," coming up for its third reading.

On motion of Mr. Savage, and by unanimous consent,
Said bill was amended by substituting the number "100" for "30," before the word "days."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 02 }

Those who voted in the affirmative, are,

Angle	Chesebro	Harris	Morris	Stephens
Aitken	Cook	Hatch	Munroe	Sterling
Bailey	Collins	Holdridge	Odell	Suffern
Baker	Conkling	Howell	Palmer	Ward
Backus	Cost	Hoyle	Peters	Wart
E. J. Baldwin	Crocheron	Jenkins	Preston	Whipple
S. Baldwin	Cumming	Joy	Richards	White
Barrow	Dawson	Kinney	Robertson	Whitman
Barton	A. A. Dunlop	Kirkland	Rose	Wilson
Beers	R. Dunlap	Legg	Rowland	Wilder
Benedict	Ferguson	Leigh	Scott	D. Willis
Bennett	Fiero	Littlefield	Sessions	J. E. Willis
Bergen	Germain	Maguire	Seeley	Williams
Brust	Gibbs	McMurray	Sharp	Winne
Burgess	Gott	G. Miller	Sill	D. P. Wood
Burnett	Hall	S. F. Miller	Smalley	W. H. Wood
Case	Harpur	Mitchell	Speaker	84

Those who voted in the negative are,

Mo. Hutchinson Randall

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendment.

The bill entitled "An act to amend the charter of the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Brust	Harpur	McMurray	Smalley
Aitken	Burgess	Hatch	Mitchell	Speaker
Bailey	Burnett	Holdridge	Morris	Stephens

Baker	Case	Hollenbeck	Munroe	Sterling
Beckus	Chesebro	Howell	Palmer	Thompson
R. J. Baldwin	Cook	Hoyle	Peters	Underwood
S. Baldwin	Conkling	Hull	Preston	Ward
Barrow	Cost	Jenkins	Richardson	Wart
Barton	Crocheron	Joy	Robertson	Whipple
Baucus	R. Dunlap	Kinney	Rose	Whitman
Beers	Ferguson	Kirkland	Rowland	Wilson
Benedict	Fiero	Legg	Savage	D. Willis
Bennett	Gibbs	Leigh	Scott	J. E. Willis
Bergen	Gott	Littlefield	Seeley	Winne
Boardman	Graham	Maguire	Sharp	D. P. Wood
Boyd	Hall	McGraw	Sill	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise the seventh regiment of militia to found and hold a regimental armory," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harpur	McGraw	Sill
Atken	Chesebro	Harris	S. F. Miller	Speaker
Bailey	Cook	Hatch	Mitchell	Stephens
Baker	Collins	Holdridge	Morris	Sterling
R. J. Baldwin	Conkling	Howell	Munroe	Underwood
Barrow	Cost	Hoyle	Nelson	Ward
Barton	Crocheron	Mos. Hutchinson	Odell	Whipple
Baucus	Cumming	Jenkins	Palmer	White
Beers	Dawson	Joy	Peters	Whitman
Bennett	A. A. Dunlap	Kinney	Richardson	Wilson
Bergen	R. Dunlap	Kirkland	Rowland	Wilder
Boardman	Ferguson	Legg	Savage	D. Willis
Boyd	Fiero	Leigh	Scott	J. E. Willis
Brust	Gibbs	Littlefield	Sessions	Williams
Burgess	Gleason	Maguire	Seeley	Winne
Burnett	Hall	May	Sharp	W. H. Wood 80

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to incorporate the United States Inebriate asylum for the reformation of the poor and destitute inebriate," coming up for its third reading.

Mr. Weed moved to recommit said bill, with instructions to strike out the first section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Weed, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 21 }

Those who voted in the affirmative, are

Angle	Case	Hatch	G. Miller	Seeley
Bailey	Chesebro	Holdridge	S. F. Miller	Sharp
Backus	Collins	Howell	Morris	Sill
R. J. Baldwin	Cumming	Hoyle	Munroe	Smalley
S. Baldwin	A. A. Duplop	Jenkins	Odell	Speaker
Barrow	R. Dunlap	Joy	Palmer	Underwood
Barton	Fiero	Kinney	Peters	Ward
Baucus	Gibbs	Kirkland	Preston	Whipple
Beers	Gleason	Legg	Randall	White
Benedict	Gott	Leigh	Robertson	Whitman
Bergen	Graham	Littlefield	Rowland	D. Willis
Boardman	Hall	Maguire	Savage	J. E. Willis
Boyd	Harpur	McGraw	Scott	D. P. Wood
Brust	Harris	McMurray	Seasons	W. H. Wood 70

Those who voted in the negative are,

Altken	Cook	Dawson	Richardson	Wart
Baker	Conkling	Ferguson	Rose	Wilson
Burgess	Cost	Mos. Hutchinson	Sterling	Wilder
Burnett	Crocheron	Mitchell	Suffern	Winn
Clinton				

21

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Wood from the select committee to which was recommitted the bill entitled "An act to provide for enquiring into the causes of fires and to prevent incendiarism," with instructions to make the same applicable to the counties of Orange, Greene, Cayuga, St. Lawrence, Chemung, Erie and Rockland, reported the same so amended.

The bill entitled "An act to amend the charter of the village of Ogdensburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Harpur	Mitchell	Smalley
Altken	Case	Harris	Morris	Speaker
Bailey	Chesebro	Hatch	Odell	Stephens
Baker	Collins	Holdridge	Palmer	Thompson
Backus	Conkling	Hoyle	Peters	Wade
R. J. Baldwin	Cost	Hull	Preston	Ward

S. Baldwin	Gumming	Moe. Hutchins	Randall	White
Barrow	Dawson	Jenkins	Richardson	Whitman
Barton	A. A. Dunlap	Joy	Robertson	Wilson
Bancus	R. Dunlap	Kinney	Rowland	Wilder
Beers	Ferguson	Kirkland	Savage	D. Willis
Benedict	Gibbs	Legg	Scott	J. E. Willis
Bergen	Gleason	Leigh	Sessions	Williams
Beardman	Gott	Littlefield	Seeley	Winne
Brust	Graham	McGraw	Sharp	D. P. Wood
Burgess	Hall	S. F. Miller	Sill	

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved to take from the table the bill entitled "An act to amend the charter of the Schoharie Kill bridge company."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

Mr. J. E. Willis moved to recommit, with instructions to amend by inserting "after all existing contracts for carrying the mail and passengers on said road shall have expired."

Mr. Peters moved the previous question.

Mr. Speaker stated the main question would be upon the final passage of said bill.

Mr. Speaker then put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 25 }

Those who voted in the affirmative are,

Backus	Conkling	Holdridge	McMurray	Smalley
R. J. Baldwin	Cost	Howell	G. Miller	Speaker
S. Baldwin	Orocheron	Hoyle	S. F. Miller	Thompson
Barrow	Dawson	Hull	Palmer	Underwood
Barton	A. A. Dunlap	Jenkins	Peters	Whipple
Beers	Germain	Joy	Preston	White
Benedict	Gibbs	Kinney	Randall	Whitman
Bennett	Gleason	Kirkland	Robertson	Wilder
Bergen	Gott	Legg	Roe	D. Willis
Boyd	Hall	Leigh	Rowland	J. E. Willis
Burgess	Harpur	Maguire	Savage	Williams
Burnett	Harris	May	Scott	Winne
Clinton	Hatch	McGraw	Sessions	W. H. Wood
Collins				

66

Those who voted in the negative are,

Angle	Brust	R. Dunlap	Mather	Sill
Akkan	Case	Ferguson	Mitchell	Ward

Baker	Chesebro	Fiero	Odell	Wart
Baucus	Cook	Graham	Richardson	Wilson
Boardman	Cumming	Mos Hutchinson	Seeley	D. P. Wood

25

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for enquiring into the causes of fires and to prevent incendiarism," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hatch	McGraw	Sharp
Altken	Collins	Holdridge	McMurray	Smalley
Baker	Conkling	Howell	G. Miller	Speaker
Backus	Cost	Hoyle	S. F. Miller	Stephens
R. J. Baldwin	Crocheron	Hull	Mitchell	Sterling
S. Baldwin	Cumming	Mos. Hutchinson	Munroe	Underwood
Barrow	A. A. Dunlop	Jenkins	Odell	Ward
Baucus	R. Dunlap	Joy	Palmer	Whipple
Beers	Ferguson	Kinney	Peters	White
Benedict	Fiero	Kirkland	Preston	Whitman
Bennett	Gibbs	Legg	Rose	Wilson
Bergen	Gorham	Leigh	Rowland	J. E. Willis
Boardman	Gott	Littlefield	Savage	Williams
Boyd	Graham	Maguire	Scott	Winne
Brust	Harpur	Mather	Seasions	D. P. Wood
Burnett	Harris	May	Seeley	W. H. Wood
Case				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend the third article, of the first title, of chapter five, part second of the Revised Statutes, coming up for its third reading.

Mr. S. F. Miller moved to recommit, with instructions to strike out of the 24th section of said bill all after the word "has" in the third line unto the word "in," in the fifth line.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. S. F. Miller, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 28 }

Those who voted in the affirmative are,

Angle	Cost	Hatch	Morris	Stephens
Bailey	Cumming	Holdridge	Odell	Suffern
Baker	A. A. Dunlop	Hall	Palmer	Thorn
Barrow	R. Dunlap	Mos. Hutchinson	Payne	Townsend
Baucus	Ferguson	Jenkins	Peters	Ward
Beers	Fiero	Joy	Richards	Wart
Benedict	Germain	Kinney	Richardson	Whipple
Bennett	Gibbs	Legg	Robertson	Wilson
Boardman	Gleason	Leigh	Savage	Wilder
Boyd	Gott	Maguire	Seeley	Williams
Bruat	Graham	McGraw	Sharp	Winne
Burgess	Hall	McMurray	Sift	D. P. Wood
Burnett	Harpur	G. Miller	Speaker	W. H. Wood
Cook	Harris	Mitchell		

68

Those who voted in the negative are,

Aitken	Case	Howell	S. F. Miller	Sterling
Backus	Chesebro	Hoyle	Munroe	Thompson
R. J. Baldwin	Collins	Kirkland	Preston	White
S. Baldwin	Conkling	Littlefield	Randall	Whitman
Barton	Crocheron	Mather	Rowland	J. S. Wood
Bergen	Dawson	May		

28

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Ilion, in the county of Herkimer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Chesebro	Harpur	McMurray	Sharp
Bailey	Cook	Harris	G. Miller	Smalley
Baker	Collins	Holdridge	S. F. Miller	Speaker
R. J. Baldwin	Conkling	Howell	Morris	Sterling
S. Baldwin	Cost	Hoyle	Munroe	Suffern
Barrow	Crocheron	Hull	Odell	Townsend
Barton	Cumming	Jenkins	Palmer	Ward
Baucus	Dawson	Joy	Payne	Whipple
Beers	A. A. Dunlop	Kinney	Preston	White
Benedict	R. Dunlap	Kirkland	Richardson	Whitman
Bennett	Ferguson	Legg	Robertson	Wilson
Bergen	Fiero	Leigh	Rowland	Wilder
Boardman	Germain	Littlefield	Savage	J. E. Willis
Boyd	Gleason	Mather	Scott	Winne
Burgess	Graham	May	Sessions	J. S. Wood
Burnett	Hall	McGraw	Seeley	W. H. Wood
Cook				

81

Those who voted in the affirmative are,

Angle	Collins	Hull,	Randall	Ward
Bailey	Crocheron	Mos. Hutchinson	Richardson	Wart
Baker	Cumming	Joy	Rowland	Whipple
B. Baldwin	Dawson	Kinney	Sessions	White
Barrow	Ferguson	Kirkland	Sealey	Whitman
Beers	Fiero	Leigh	Sill	Wilson
Benedict	Germann	Mather	Stephens	Wilder
Boardman	Gibbs	May	Sterling	J. E. Willis
Bostwick	Gleason	McMurray	Suffern	Winne
Boyd	Gott	G. Miller	Thompson	D. P. Wood
Burgess	Hall	Mitchell	Thorn	J. S. Wood
Case	Harris	Munroe	Townsend	W. H. Wood
Chasebro	Howell	Odell		

83

Those who voted in the negative are,

Aitken	Clinton	Hatch	Morris	Rose
R. J. Baldwin	Cook	Hoyle	Palmer	Savage
Baucus	Conkling	Jenkins	Payne	Scott
Bennett	Cost	Legg	Peters	Smalley
Bergen	B. Dunlap	Maguire	Preston	Underwood
Brust	Graham	McGraw	Richards	Williams
Burnett	Harper	S. F. Miller		

83

On motion of Mr. Weed,

At twenty-five minutes past six o'clock, p. m., the House adjourned.

WEDNESDAY, MARCH 29, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Read.

The minutes of yesterday, were read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act in relation to the records of deeds, in certain cases," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Barnard, and by unanimous consent,

Said bill was referred to the committee on the judiciary, to report complete.

"An act directing the transfer of certain Insurance papers from the Secretary's office to the Comptroller's office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act for the continuation of Flatbush avenue from the city line of Brooklyn into the town of Flatbush," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges. -

On motion of Mr. Bergen, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act to amend an act vesting certain powers and privileges in the freeholders and inhabitants of the village of Castleton, passed April 13, 1827, and the act amending the same, passed May 25, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the several acts in relation to the village of Salem, and to authorise said village to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. McMurray, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act to reduce the expenses for the opening, widening or otherwise improving the avenues, streets and public parks, and other grounds in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ward, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Speaker announced as such select committee, Messrs. Ward, Cumming and Aitken.

Mr. S. F. Miller asked leave of absence for the rest of this week, which was granted.

Mr. Munroe asked leave of absence for three days, which was granted,

On motion of Mr. Benedict,

Two-thirds voting in favor thereof, the rules were suspended to allow him to report from the committee on banks, the following entitled bills:

"An act to authorise the forming of corporations for banking purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to authorise and regulate the business of banking," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Benedict, and by unanimous consent,

Double the usual number of copies of said bills were ordered printed.

The bill entitled "An act to amend an act entitled 'An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New-York,' passed June 28, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Howell	Morris	SM
Altken	Conkling	Hoyle	Odell	Stephens
Bailey	Crocheron	Hull	Palmer	Sterling
Baker	Cumming	Mos. Hutchinson	Peters	Thompson
Backus	Dawson	Jenkins	Preston	Thorn
R. J. Baldwin	Dewey	Kinney	Richards	Townsend
S. Baldwin	A. A. Dunlop	Kirkland	Richardson	Ward
Bancus	R. Dunlap	Legg	Robertson	Weed
Benedict	Ferguson	Leigh	Rose	White
Bennett	Freeman	Littlefield	Rowland	Whitman
Bergen	Germain	Maguire	Savage	Wilson
Boardman	Gleason	Mallory	Scott	Wilder
Brust	Gorham	Mather	Searing	Williams
Burnett	Graham	May	Sessions	Winne
Case	Hall	McMurray	Seeley	D. P. Wood
Chesebro	Harpur	Mills	Sharp	J. S. Wood
Clinton	Hatch	G. Miller	Shesley	W. H. Wood
Cook	Holdridge	Mitchell		88

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to remove certain coarse salt works in the city of Syracuse," coming up for its third reading,

Mr. Peters moved to recommit, with instructions to amend by striking out the 2d and 3d sections.

Pending consideration thereof,

The hour of eleven o'clock having arrived, Mr. Speaker announced the special order, it being the third reading and final vote upon the bill entitled as follows :

"An act to promote medical science."

Mr. D. P. Wood moved to lay the special order upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the negative.

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 67 }
{ NOES 43 }

Those who voted in the affirmative are,

Altken	Clinton	Harpur	S. F. Miller	SM
Baker	Conkling	Holdridge	Nelson	Speaker

Backus	Coat	Hoyle	Palmer	Stephens
R. J. Baldwin	Cumming	Hull	Peters	Sumner
S. Baldwin	Dewey	Mos Hutchinson	Preston	Thompson
Barrow	A. A. Dunlop	Kinney	Randall	Thorn
Bancus	E. Dunlap	Leigh	Richardson	Ward
Beers	Edwards	Littlefield	Rose	Wart
Benedict	Germain	Littlejohn	Rowland	Weed
Bergen	Gleason	Mallory	Savage	White
Boardman	Gorham	May	Scott	Wilson
Boyd	Gott	McMurray	Searing	Wilder
Case	Graham	G. Miller	Seasons	J. S. Wood
Chesebro	Hall			

67

Those who voted in the negative are,

Angle	Ferguson	Legg	Payne	Townsend
Bailey	Fiero	Maguire	Richardson	Underwood
Botwick	Freeman	Mather	Robertson	Whipple
Brust	Hatch	McGraw	Seeley	Whitman
Burgess	Hinkley	Mills	Sharp	J. E. Willis
Burnett	Howell	Mitchell	Sheeley	Williams
Cook	Jenkins	Morris	Smalley	Wine
Chercheron	Joy	Munroe	Sterling	W. H. Wood
Dawson	Kirkland	Odell		

48

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to remove certain coarse salt works in the city of Syracuse," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Coat	Hoyle	Palmer	Sterling
Bailey	Crocheron	Mos. Hutchinson	Payne	Sumner
Baker	Cumming	Jenkins	Preston	Thompson
R. J. Baldwin	Dewey	Joy	Randall	Underwood
Barrow	A. A. Dunlop	Kinney	Richardson	Ward
Bancus	Edwards	Kirkland	Robertson	Wart
Beers	Ferguson	Legg	Rose	Whipple
Benedict	Fiero	Leigh	Rowland	White
Bennett	Freeman	Littlejohn	Savage	Whitman
Bergen	Germain	Mather	Scott	Wilson
Boardman	Gleason	McGraw	Searing	Wilder
Brust	Gorham	McMurray	Seeley	J. E. Willis
Burgess	Graham	Mitchell	Sharp	Williams
Case	Hall	Munroe	Sill	Wine
Chesebro	Harpur	Nelson	Smalley	D. P. Wood
Cook	Hinkley	Odell	Speaker	J. S. Wood
Conkling	Holdridge			

82

Those who voted in the negative are,

S. Baldwin	Burnett	Collins	Mills	Peters	6
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act creating a permanent board of commissioners for making estimates and assessments for repairing and widening avenues and streets, and for making, laying out or otherwise improving any public place, park or other public ground in the city of New-York," coming up for its third reading.

Mr. Leigh moved to lay said bill upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the negative.

Mr. Leigh moved to recommit, with instructions to strike out the names of the commissioners.

Mr. Boyd moved to add to the instructions to strike out the name of Simeon Draper and insert the name of Mr. Dewey.

Mr. Ward moved the previous question.

Mr. Speaker stated the main question to be upon the final passage of said bill.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 11 }

Those who voted in the affirmative, are

Bailey	Crocheron	Jenkins	Peters	Suffern
Baker	Cumming	Joy	Preston	Thompson
Backus	Cushman	Kinney	Randall	Thorn
R. J. Baldwin	Dawson	Legg	Richards	Townsend
S. Baldwin	Dewey	Littlefield	Richardson	Ward
Barrow	A. A. Dunlop	Littlejohn	Robertson	Wart
Bancus	R. Dunlap	Mallory	Rowland	Weed
Beers	Ferguson	Mather	Scott	Whipple
Benedict	Fiero	May	Searing	White
Bennett	Freeman	McMurray	Sessions	Whitman
Bostwick	Gleason	Mills	Seeley	Wilson
Boyd	Gott	G. Miller	Shreeley	Wilder
Brust	Graham	Mitchell	Sill	J. E. Willis
Caso	Harpur	Morris	Smalley	Winne
Chesebro	Hinkley	Munroe	Speaker	D. P. Wood
Cook	Holdridge	Nelson	Stephens	J. S. Wood
Conkling	Howell	Odell	Sterling	W. H. Wood
Cost	Mos. Hutchinson	Palmer		

Those who voted in the negative are,

Aitken	Clinton	Kirkland	Maguire	Underwood
Boardman	Hoyle	Leigh	Rose	Williams
Burgess				

11

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to organise and establish a recorder's court in the city of Oswego, passed April 12, 1843,'" and the acts amending the same, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Jenkins	Peters	Thompson
Aitken	Conkling	Joy	Preston	Thorn
Baker	Cost	Kinney	Richards	Townsend
Backus	Cumming	Kirkland	Richardson	Underwood
S. Baldwin	Cushman	Leigh	Robertson	Ward
Baucus	Dawson	Littlefield	Rose	Wart
Beers	Dewey	Mather	Rowland	Whipple
Benedict	R. Dunlap	McGraw	Scott	White
Bennett	Ferguson	McMurray	Searing	Wilson
Bergen	Freeman	Mills	Sessions	Wilder
Boardman	Gleason	G. Miller	Seeley	J. E. Willis
Bostwick	Harpur	Mitchell	Sill	Williams
Boyd	Hatch	Morris	Smalley	Winne
Brust	Howell	Munroe	Speaker	D. P. Wood
Burgess	Hoyle	Nelson	Sterling	J. S. Wood
Burnett	Hull	Odell	Suffern	W. H. Wood
Case	Mos Hutchinson			

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Burnett,

The motion to reconsider the final vote upon the bill entitled "An act to incorporate the Turnverein, in the city of New-York," was taken from the table.

Mr. Clinton moved the previous question.

Mr. Speaker stated the main question to be upon reconsideration.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative.

{ AYES 87 }
{ NOES 19 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative, are,

Angle	Collins	Hatch	Morris	Speaker
Aitken	Conkling	Hinkley	Nelson	Stephens
Bedley	Crocheron	Holdridge	Odell	Sterling
Baker	Cumming	Hull	Palmer	Suffern
Barrow	Cushman	Mos. Hutchinson	Payne	Thorn
Bancus	Dewey	Jenkins	Peters	Underwood
Beers	A. A. Dunlop	Joy	Preston	Ward
Benedict	R. Dunlap	Kirkland	Richards	Wart
Bennett	Ferguson	Legg	Robertson	Weed
Bergen	Fiero	Littlejohn	Savage	Whipple
Boardman	Freeman	Maguire	Searing	Whitman
Bostwick	Gleason	Mallory	Sessions	Wilson
Boyd	Gorham	Mather	Seeley	J. E. Willis,
Burnett	Gott	May	Sharp	Williams
Case	Graham	Mills	Sheeley	Winne
Chesebro	Hall	G. Miller	Sill	D. P. Wood
Clinton	Harpur	Mitchell	Smalley	W. H. Wood
Cook	Harris			

67

Those who voted in the negative are,

Beckus	Hoyle	Munroe	Rowland	White
S. Baldwin	Kinney	Randall	Scott	Wilder
Burgess	Leigh	Richardson	Thompson	J. S. Wood
Cost	McMurray	Rose	Townsend	

19

Mr. Backus moved to recommit, with instructions to strike out the 2d and 3d sections, and insert "sixth" instead of "third."

Mr. Chesebro moved the previous question.

Mr. Speaker stated the previous question to be upon the final passage of said bill.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Cook	Hall	G. Miller	Speaker
Aitken	Collins	Harpur	Mitchell	Stephens

Bailey	Conkling	Harris	Morris	Suffern
Baker	Cost	Hatch	Nelson	Townsend
S. Baldwin	Crocheron	Hinkley	Odell	Ward
Barrow	Cumming	Holdridge	Palmer	Wart
Baucus	Cushman	Mos. Hutchinson	Peters	Wood
Beers	Dewey	Jenkins	Preston	Whipple
Benedict	A. A. Dunlap	Joy	Richards	Whitman
Bennett	R. Dunlap	Kirkland	Robertson	Wilson
Bergon	Ferguson	Legg	Scott	J. E. White
Boardman	Fiero	Littlefield	Searing	Williams
Bestwick	Freeman	Littlejohn	Seely	Winne
Burnett	Gleason	Maguire	Sharp	D. P. Wood
Case	Gorham	Mallory	Sheeley	J. S. Wood
Chesbro	Gott	McGraw	Smalley	W. H. Wood
Clinton	Graham			

23

Those who voted in the negative are,

Beckus	Kinney	Munroe	Savage	White
Howell	Mather	Randall	Thompson	Wilder
Hoyle	May			

12

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Richards moved to reconsider the final vote taken yesterday upon the bill entitled as follows :

"An act changing the name of the town of Morris, to that of Willington."

Mr. Speaker put the question whether the House would agree to the reconsideration of said bill, and it was determined in the affirmative.

{ AYES 70 }
{ NOES 15 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Collins	Holdridge	Palmer	Thompson
Aitken	Conkling	Howell	Preston	Thorn
Bailey	Cumming	Mos. Hutchinson	Randall	Townsend
Baker	Cushman	Joy	Richards	Ward
S. Baldwin	Dawson	Kinney	Rowland	Wart
Barrow	A. A. Dunlap	Kirkland	Sessions	Whipple
Benedict	R. Dunlap	Legg	Seely	White
Bennett	Ferguson	Littlefield	Sheeley	Whitman
Boardman	Freeman	Mallory	Sill	Wilson
Bestwick	Gorham	Mather	Smalley	Wilder
Boyd	Gott	G. Miller	Speaker	J. E. White
Brust	Graham	Mitchell	Stephens	Winne
Case	Hall	Munroe	Sterling	D. P. Wood
Chesbro	Hatch	Nelson	Suffern	J. S. Wood

70

Those who voted in the negative are,

R. J. Baldwin	Cost	Maguire	Payne	Savage
Burnett	Harpur	McGraw	Peters	Underwood
Cook	Hull	Odell	Rose	W. H. Wood

15

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act to amend an act entitled 'An act to amend an act incorporating the village of Perry,' passed July 5, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Howell	Palmer	Thompson
Aiken	Collins	Hoyle	Peters	Thorn
Baker	Conkling	Hull	Preston	Townsend
Backus	Crocheron	Mos. Hutchinson	Richards	Underwood
E. J. Baldwin	Dawson	Jenkins	Robertson	Ward
S. Baldwin	A. A. Dunlop	Kinney	Rose	Wart
Barrow	B. Dunlap	Kirkland	Rowland	Weed
Barton	Fiero	Legg	Scott	White
Beers	Freeman	Leigh	Searing	Whitman
Benedict	Germain	Maguire	Seeley	Wilson
Bennett	Gleason	Mather	Sharp	Wilder
Bergen	Gott	May	Shesley	D. Willis
Boardman	Graham	McMurray	Sill	J. E. Willis
Bostwick	Hall	Mills	Speaker	Winne
Brust	Harpur	Mitchell	Stephens	D. P. Wood
Burgess	Harris	Munroe	Sterling	J. S. Wood
Chasebro	Hatch	Odell	Suffern	W. H. Wood
Clinton	Hinkley			

87

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of the town of Morris, in the county of Otsego, to Hillington," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 15 }

Those who voted in the affirmative are,

Angle	Collins	Hull	Richardson	Townsend
Aiken	Crocheron	Mos. Hutchinson	Richardson	Ward
Bailey	Cumming	Joy	Robertson	Wart
Baker	Cushman	Kinney	Rowland	Weed

S. Baldwin	Dawson	Kirkland	Savage	Whipple
Barrow	A. A. Dunlap	Legg	Scott	White
Beers	Ferguson	Leigh	Searing	Whitman
Benedict	Fiero	Littlefield	Sessions	Wilson
Bennett	Freeman	Maguire	Seeley	Wilder
Bergen	Gleason	Mather	Shoeley	D. Willis
Boardman	Gott	May	Sill	J. F. Willis
Boatwick	Graham	Mills	Stephens	Williams
Boyd	Hall	Mitchell	Sterling	Winne
Brust	Hatch	Munroe	Suffern	D. P. Wood
Burgess	Hinkley	Palmer	Thompson	J. S. Wood
Chesebro	Holdridge	Preston	Thorn	W. H. Wood
Clinton	Howell	Randall		

28

Those who voted in the negative are,

Backus	Case	B. Dunlap	Hoyle	Odell
R. J. Baldwin	Conkling	Germain	Jenkins	Peters
Burnett	Cost	Harpur	Morris	Rose

15

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Granite insurance company, and authorising said company to change its place of business," coming up for its third reading,

Mr. Clinton moved to recommit said bill to the committee on insurance companies, with instructions to amend the same so as to make it conform to the requirements of the general insurance law, as respects the incorporation of insurance companies in the city of New-York.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the affirmative.

Mr. Crocheron moved a reconsideration of the final vote taken yesterday upon the bill entitled "An act to amend the charter of the Schoharie Kill bridge company."

Mr. Ward moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 37 }
{ NOES 62 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Mitchell	Thorn
Bailey	Crocheron	Howell	Seeley	Townsend
Baker	Cumming	Mrs. Hutchinson	Sharp	Wart
Bancus	Cushman	Joy	Sill	Wilson

Boardman	R. Dunlap	Littlefield	Stephens	J. E. White
Brust	Fiero	Mather	Storck	D. P. Wood
Cass	Graham	Mills	Suffern	W. H. Wood
Chesbro	Hall			

27

Those who voted in the negative are,

Backus	Dewey	Kirkland	Nelson	Sheeley
R. J. Baldwin	Freeman	Legg	Palmer	Speaker
S. Baldwin	Germain	Leigh	Peters	Thompson
Barrow	Gleason	Littlejohn	Preston	Underwood
Beers	Gorham	Maguire	Randall	Ward
Benedict	Gott	Mallory	Richardson	Wood
Bennett	Harpur	May	Robertson	Whipple
Boyd	Harris	McGraw	Rees	White
Burgess	Hatch	McMurray	Rowland	Whitman
Collins	Holdridge	G. Miller	Scott	Wilder
Conkling	Hoyle	Morris	Searing	Wine
Coit	Hull	Munroe	Sessions	J. S. Wood
Dawson	Jenkins			

28

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Ilion, in the county of Herkimer."

"An act to incorporate the Ogdensburgh water works company."

"An act to amend an act entitled 'An act to increase the number of wards and ward officers in the city of Troy,' passed April 17, 1851."

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Mount Vernon, in the town of Eastchester, county of Westchester, and to make the said village a separate road district."

"An act to confirm certain acts of the city of Oswego, in relation to the building of a pier in the west harbor in said city."

"An act to amend title second, chapter fifth, of part third of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases.'"

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorise the election of a police justice in the town of Newburgh,' passed March 2, 1850,' passed April 16, 1852."

"An act for the protection of gas light companies."

"An act to amend the act passed in 1848, entitled 'An act to provide for the incorporation of bridge companies.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Ward moved that this House do now take a recess for one hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

{ AYES 37 }
{ NOES 68 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Barrow	Orocheron	Jenkins	Morris	Ward
Benedict	Cumming	Legg	Palmer	Weed
Bergen	Cushman	Littlefield	Seeley	Whitman
Boardman	Fiero	Littlejohn	Speaker	Wilder
Boyd	Gleason	Maguire	Stephens	J. E. Willis
Chesbro	Hollenbeck	McGraw	Suffern	Winne
Cook	Hoyle	Mills	Townsend	W. H. Wood
Conkling	Mos Hutchinson			

Those who voted in the negative are,

Angle	Clinton	Hinkley	Nelson	Sessions
Aitken	Collins	Howell	Odell	Sharp
Bailey	Cost	Hull	Payne	Sheeley
Baker	Dawson	Joy	Peters	Smalley
Backus	Dewey	Kirkland	Preston	Sterling
R. J. Baldwin	R. Dunlap	Leigh	Randall	Thompson
S. Baldwin	Freeman	Mallory	Richards	Thorn
Baucus	Germain	Mather	Richardson	Underwood
Beers	Gott	May	Robertson	Wart
Bennett	Graham	McMurray	Rose	Whipple
Bestwick	Hall	G. Miller	Rowland	Wilson
Brust	Harpur	S. F. Miller	Scott	D. P. Wood
Burgess	Harris	Mitchell	Searing	J. S. Wood
Cass	Hatch	Munroe		

Mr. Graham moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Graham, and it was determined in the negative.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district."

The Senate bill entitled "An act to authorise the Watertown and Rome railroad company to endorse and guarantee the bonds of the Pottsdam and Watertown railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 03 }

Those who voted in the affirmative are,

Bailey	Cumming	Hollenbeck	Munroe	Sterling
Baker	Cushman	Hoyle	Nelson	Suffern

Backus	Dawson	Hull	Odell	Thompson
S. Baldwin	Dewey	Joy	Palmer	Thorn
Barrow	R. Dunlap	Kinney	Payne	Townsend
Barton	Ferguson	Kirkland	Peters	Underwood
Beers	Fiero	Legg	Preston	Ward
Benedict	Freeman	Leigh	Randall	Wart
Bergen	Germain	Littlefield	Richards	Weed
Boardman	Gleason	Littlejohn	Rowland	Whipple
Brust	Gorham	Mallory	Savage	Wilson
Burgess	Graham	Mather	Seeley	Wilder
Chesebro	Hall	May	Sharp	J. E. Willis
Cook	Harris	McGraw	Sheeley	Williams
Collins	Hatch	McMurray	Smalley	Winne
Conkling	Hinkley	Mills	Speaker	D. P. Wood
Cost	Holdridge	G. Miller	Stephens	J. S. Wood
Crocheron				

86

Those who voted in the negative are,

Harpur Mos. Hutchinson W. H. Wood

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act relative to the construction of railroads in cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Hall	Munroe	Smalley
Bailey	Chesebro	Harpur	Nelson	Stephens
Baker	Cook	Harris	Palmer	Sterling
Backus	Collins	Hinkley	Payne	Suffern
R. J. Baldwin	Conkling	Hollenbeck	Peters	Townsend
S. Baldwin	Crocheron	Hoyle	Preston	Underwood
Barrow	Cumming	Hull	Randall	Ward
Barton	Cushman	Mos. Hutchinson	Robertson	White
Baucus	Dawson	Joy	Rowland	Whitman
Beers	R. Dunlap	Kinney	Savage	Wilson
Benedict	Fiero	Kirkland	Scott	Williams
Bergen	Germain	Leigh	Sessions	Winne
Boardman	Gibbs	Littlejohn	Seeley	D. P. Wood
Boatwick	Gorham	Mather	Sheeley	J. S. Wood
Boyd	Gott	McGraw	Sill	W. H. Wood
Brust	Graham	G. Miller		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ward called up the resolution heretofore offered by Mr. A. A. Dunlop, in the words following, to wit :

Resolved, That hereafter, during the third reading of bills, no member be allowed to occupy more than ten minutes in debate upon any question, nor to speak more than once upon the same question, without the consent of the House.

Mr. Ward moved the suspension of the rules for the consideration of said resolution.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Brust moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Brust, and it was determined in the negative.

Mr. Speaker presented a communication from E. D. Morgan, president of the Hudson River railroad company, tendering a free passage, to and from New-York, to the members, officers, reporters and pages of the Legislature.

Mr. Speaker presented the annual report of the Sailors' Snug Harbor, in the city of New-York, for the year 1853, which was read and referred to the committee on charitable and religious societies.

On motion of Mr. Mitchell,
At ten minutes to seven o'clock, the House adjourned.

THURSDAY, MARCH 30, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The minutes of yesterday were read and approved.

The bill entitled "An act to release the Fishkill and Beekman plank road company from the construction of part of their road, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 10 }

Those who voted in the affirmative are,

Aiken	Cost	Jenkins	Palmer	Thompson
Bailey	Crocheron	Je.	Preston	Thorn
Baker	Cumming	Kinney	Richardson	Townsend
Beckus	Cushman	Lea	Robertson	Underwood
R. J. Baldwin	Dawson	Leigh	Rose	Ward

S. Baldwin	A. A. Dunlop	Littlefield	Rowland	Wart
Beers	R. Dunlap	Maguire	Savage	Weed
Benedict	Ferguson	Mallory	Scott	Whipple
Bennett	Freeman	Mather	Searing	White
Bergen	Germain	May	Seeley	Wilson
Bostwick	Gorham	McMurray	Sheeley	Wilder
Brust	Hall	Morris	Smalley	J. E. Williams
Burgess	Harris	Munroe	Speaker	Williams
Burnett	Hoyle	Nelson	Stephens	Winne
Cook	Hull	Odell	Suffern	D. P. Wood
Conkling	Mos. Hutchinson			

77

Those who voted in the negative are,

Angle	Chesbro	Mitchell	Randall	Sill
Boardman	Gott	Peters	Sharp	Whitman

10

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act allowing the inhabitants occupying lands upon the line of the Collikoon and Cochecton turnpike company to be assessed for highway labor upon said turnpike," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 71 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Cost	Heldridge	Odell	Sill
Baker	Crocheron	Hollenbeck	Palmer	Stephens
S. Baldwin	Cumming	Hoyle	Preston	Sterling
Barton	Cushman	Mos. Hutchinson	Richards	Stuffer
Baucus	Dawson	Jankius	Richardson	Thompson
Beers	R. Dunlop	Joy	Robertson	Thorn
Benedict	Ferguson	Kinney	Rowland	Townsend
Bennett	Fiero	Kirkland	Savage	Ward
Brust	Freeman	Littlefield	Scott	Wart
Burgess	Germain	Maguire	Searing	Whipple
Case	Gleason	Mallory	Sessions	Whitman
Clinton	Gorham	Martin	Seeley	Wilson
Cook	Gott	Mather	Sharp	Wilder
Collins	Hall	Mills	Sheeley	Winne
Conkling				

71

Those who voted in the negative are,

Boardman	Legg	Leigh	Mitchell	Peters
Burnett				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to incorporate the Oswego City Library," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Howell	Noble	Sterling
Bailey	Cook	Hoyle	Odell	Suffern
Baker	Crocheron	Hull	Palmer	Thorn
Beckus	Cumming	Jenkins	Peters	Townsend
R. J. Baldwin	Cushman	Kinney	Preston	Underwood
S. Baldwin	Dawson	Kirkland	Richardson	Ward
Baucus	R. Dunlap	Legg	Robertson	Wart
Beers	Ferguson	Littlefield	Rowland	Whipple
Benedict	Fiero	Littlejohn	Savage	White
Bennett	Germain	Maguire	Searing	Whitman
Bergen	Gleason	Martin	Seeley	Wilson
Boardman	Gorham	May	Sharp	Wilder
Boatwick	Gott	McMurray	Shreeley	J. E. Willis
Borg	Hall	Mills	Sill	Williams
Brust	Harpur	Mitchell	Smalley	Winn
Burgess	Harris	Morris	Speaker	D. P. Wood
Cass	Hatch	Munroe	Stephens	W. H. Wood
Cheebro	Hinkley	Nelson		

88

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolution in the words following, to wit:

Resolved, (if the Assembly concur,) That both houses of the Legislature take a recess from Friday p. m., after the adjournment, till Tuesday next at 12 o'clock.

Ordered, That said resolution be laid on the table.

On motion of Mr. Ward, two-thirds of the members elected voting in favor thereof, the rule was suspended for him to make the following report:

Mr. Ward, from the select committee to which was referred the Senate bill entitled "An act to reduce the expenses for the opening, widening or otherwise improving the avenues, streets, public parks, and other grounds in the city of New-Yor," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The bill entitled "An act relative to the support of the poor in the county of Schenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Harris	Peters	Suffern
Aitken	Conkling	Hinkley	Preston	Thompson
Bailey	Cost	Heldridge	Robertson	Thorn
Baker	Crocheron	Hoyle	Rose	Townsend
R. J. Baldwin	Cumming	Jenkins	Rowland	Underwood
S. Baldwin	Cushman	Kinney	Savage	Ward
Bancus	Dawson	Kirkland	Searing	Weed
Beers	A. A. Dunlop	Leigh	Sessions	Whipple
Benedict	Ferguson	Littlefield	Seeley	Whitman
Bennett	Fiero	Littlejohn	Sharp	Wilson
Bergen	Germain	May	Sheeley	Wilder
Boardman	Gleason	McMurray	Sill	J. E. Willis
Boatwick	Gott	Mitchell	Speaker	Williams
Brust	Graham	Morris	Stephens	Winne
Case	Hall	Odell	Sterling	D. P. Wood
Chesebro	Harpur	Palmer		

78

For the negative,

Nelson

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to enable the Myrtle Avenue and Jamaica plank road company to borrow money and locate toll gates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cushman	Hull	Noble	Suffern
Bailey	Dawson	Mos. Hutchinson	Odell	Thompson
Baker	A. A. Dunlop	Jenkins	Palmer	Thorn
S. Baldwin	R. Dunlap	Joy	Preston	Townsend
Bancus	Edwards	Kinney	Richardson	Underwood
Beers	Ferguson	Kirkland	Robertson	Ward
Benedict	Fiero	Legg	Rowland	Wart
Bennett	Freeman	Littlefield	Savage	Weed
Bergen	Germain	Littlejohn	Scott	Whipple
Boardman	Gleason	Mallory	Sessions	Whitman
Boatwick	Gott	Martin	Seeley	Wilson
Boyd	Graham	May	Sharp	Wilder
Burgess	Harpur	McMurray	Sill	J. E. Willis
Case	Harris	Mills	Smalley	Williams
Cook	Hinkley	Mitchell	Speaker	Winne
Conkling	Heldridge	Morris	Stephens	D. P. Wood
Cost	Hoyle	Munroe	Sterling	W. H. Wood
Crocheron				

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act authorising the supervisors of the town of Plattsburgh to lease certain property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	Mitchell	Sheeley
Bailey	Crocheron	Howell	Morris	Sill
Baker	Cunningham	Hoyle	Munroe	Smalley
R. J. Baldwin	Cushman	Hull	Odell	Speaker
S. Baldwin	Dawson	Mos. Hutchinson	Palmer	Stephens
Bancus	A. A. Dunlop	Jenkins	Peters	Sterling
Beers	R. Dunlap	Joy	Randall	Thompson
Benedict	Ferguson	Kinney	Richardson	Ward
Bennett	Fiero	Legg	Robertson	Weed
Bergen	Freeman	Leigh	Rose	Whitman
Boardman	Germain	Littlefield	Rowland	Wilder
Boyd	Gleason	Littlejohn	Savage	J. E. Willis
Brust	Gorham	Mallory	Scott	Williams
Burgees	Hall	Martin	Searing	Winne
Cass	Harpur	May	Sessions	D. P. Wood
Chesbro	Harris	McMurray	Seeley	W. H. Wood
Cook	Hinkley	Mills	Sharp	

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the Seneca and Wayne plank road company to remove one of their gates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	Mitchell	Sheeley
Atken	Conkling	Holdridge	Morris	Sill
Bailey	Crocheron	Hollenbeck	Munroe	Smalley
Baker	Cunningham	Howell	Noble	Speaker
S. Baldwin	Cushman	Hoyle	Odell	Stephens
Barrow	Dawson	Jenkins	Palmer	Sterling
Bancus	A. A. Dunlop	Joy	Peters	Suffern
Benedict	R. Dunlap	Kirkland	Preston	Thompson
Bennett	Ferguson	Legg	Richardson	Thorn
Bergen	Fiero	Leigh	Robertson	Townsend
Eastwick	Freeman	Littlefield	Rowland	Underwood
Boyd	Germain	Maguire	Savage	Ward
Brust	Gorham	Martin	Scott	Wart

Burgess
Case
Chesebro
Cook

Gott
Harpur
Harris
Hatch

May
Mills
G. Miller

Searing
Sessions
Seeley

Wilson
Whinn
D. P. Wood

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise the common council of the city of Hudson to borrow money to erect a city hall," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Jenkins	Odell	Speaker
Aitken	Crocheron	Joy	Palmer	Stephens
Bailey	A. A. Dunlop	Kinney	Payne	Sterling
Baker	R. Dunlap	Kirkland	Preston	Suffern
R. J. Baldwin	Ferguson	Legg	Randall	Thompson
S. Baldwin	Fiero	Leigh	Richardson	Thorn
Beers	Freeman	Littlefield	Robertson	Townsend
Benedict	Germain	Littlejohn	Rose	Underwood
Bennett	Gorham	Maguire	Rowland	Ward
Bergen	Gott	Mallory	Savage	Ware
Bostwick	Graham	Martin	Scott	Weed
Boyd	Hall	May	Searing	Whitman
Brust	Harris	McGraw	Sessions	Wilson
Burgess	Hinkley	McMurray	Seeley	Wilder
Case	Holdridge	Mills	Sharp	J. E. Willis
Chesebro	Howell	Mitchell	Sheeley	Williams
Clinton	Hull	Morris	Sill	Winne
Cook	Mos. Hutchinson	Nelson	Smalley	W. H. Wood
Collins				

91

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with out amendment.

The bill entitled "An act to authorise the village of Port Jarvis to hold an election to choose its charter officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	Mills	Speaker
Atken	Conkling	Holdridge	Mitchell	Stephens
Bailey	Cushman	Hoyle	Morris	Sterling
Baker	Dawson	Hull	Munroe	Suffern
E. J. Baldwin	A. A. Dunlop	Mos. Hutchinson	Odell	Thompson
S. Baldwin	R. Dunlap	Jenkins	Palmer	Thorn
Bancus	Edwards	Joy	Payne	Townsend
Beers	Ferguson	Kinney	Preston	Underwood
Benedict	Fiero	Kirkland	Randall	Ward
Bennett	Freeman	Leigh	Richardson	Wart
Bergen	Germain	Littlefield	Searing	Whitman
Boardman	Gorham	Littlejohn	Sessions	Wilson
Burgess	Gott	Mallory	Seeley	Williams
Burnett	Graham	Martin	Sharp	Winne
Case	Hall	McGraw	Sill	D. P. Wood
Chesebro	Harpur	McMurray	Smalley	W. H. Wood
Clinton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to regulate the salary of the district attorney of the county of Putnam," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 69 }
{ NOES 32 }

Those who voted in the affirmative are,

Angle	Conkling	Hull	G. Miller	Sharp
Atken	Cost	Mos. Hutchinson	Mitchell	Speaker
Bailey	Crocheron	Jenkins	Munroe	Stephens
E. J. Baldwin	Cushman	Leigh	Nelson	Thorn
S. Baldwin	A. A. Dunlop	Littlefield	Noble	Townsend
Barrow	Fiero	Littlejohn	Palmer	Underwood
Benedict	Freeman	Maguire	Payne	Ward
Bennett	Germain	Mallory	Richards	Ware
Bergen	Gorham	Martin	Richardson	Wart
Burgess	Gott	Mather	Robertson	Weed
Burnett	Graham	May	Rose	White
Chesebro	Hall	McGraw	Savage	Winne
Cook	Harris	McMurray	Sessions	D. P. Wood
Collins	Hinkley		Seeley	

69

Those who voted in the negative are,

Bailey	Cumming	Joy	Howland	Suffern
Bancus	Dawson	Kirkland	Searing	Thompson
Beers	R. Dunlap	Mills	Sheeley	Whitman
Boardman	Harpur	Odell	Sill	Wilson
Brust	Hollenbeck	Preston	Smalley	Wilder
Case	Howell	Randall	Sterling	Williams
Clinton	Hoyle			

32

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with an amendment.

Mr. Bergen moved the reconsideration of the vote just taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the negative.

{ AYES 18 }
{ NOES 61 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Beers	Graham	Mills	Smalley	Thompson
Burst	Joy	Morris	Sterling	Whitman
Cumming	Mather	Odell	Suffern	Wilder
Dewey	McMurray	Rowland		

18

Those who voted in the negative are,

Angle	Obensbro	Harris	Martin	Sharp
Aitken	Clinton	Hinkley	May	Shill
Bailey	Conkling	Holdridge	McGraw	Speaker
Baker	Cost	Howell	G. Miller	Thorn
Baucus	Crocheron	Hull	Mitchell	Townsend
R. J. Baldwin	Dawson	Mos. Hutchinson	Payne	Ward
S. Baldwin	A. A. Dunlop	Jenkins	Richards	Ware
Barrow	R. Dunlap	Kinney	Robertson	Weed
Benedict	Fiero	Legg	Savage	Wilson
Bennett	Freeman	Leigh	Scott	D. Willis
Bergen	Germain	Littlefield	Searing	Winne
Burnett	Harpur	Littlejohn	Sessions	D. P. Wood
Cass				

61

The bill entitled "An act authorising the surrogate of Genesee county to issue letters of administration upon the estate of John Blacksmith, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 91 }
{ NOES 02 }

Those who voted in the affirmative, are,

Angle	Conkling	Holdridge	Mitchell	Stephens
Aitken	Cost	Hollenbeck	Morris	Sterling
Bailey	Crocheron	Howell	Noble	Suffern
Baker	Cumming	Mos. Hutchinson	Odell	Thompson
R. J. Baldwin	Cushman	Jenkins	Payne	Thorn
S. Baldwin	Dawson	Joy	Richards	Townsend
Baucus	A. A. Dunlop	Kinney	Richardson	Underwood
Beers	Ferguson	Kirkland	Robertson	Ward
Benedict	Fiero	Legg	Rose	Ware
Bennett	Freeman	Leigh	Rowland	Wart
Bergen	Germain	Littlefield	Savage	Whipple

Boardman	Gleason	Littlejohn	Scott	Whitman
Boyd	Gott	Maguire	Searing	Wilson
Brust	Graham	Mallory	Seeley	Wilder
Burgess	Hall	Mather	Sharp	J. E. Willis
Burnett	Harpur	McGraw	Sill	Winne
Clinton	Harris	McMurray	Smalley	D. P. Wood
Cook	Hinkley	Mills	Speaker	W. H. Wood
Collins				

- 91

Those who voted in the negative are,

Backus Peters

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorising the Comptroller to ascertain whether the persons employed by the State to survey certain lands sold Peter Smith made any mistake in measuring or computing the same, and if so to correct the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Mitchell	Smalley
Aitken	Collins	Howell	Morris	Sterling
Bailey	Conkling	Hoyle	Nelson	Suftern
Baker	Crocheron	Hull	Noble	Thorn
Backus	Cumming	Mos. Hutchinson	Preston	Townsend
S. Baldwin	A. A. Dunlop	Jenkins	Randall	Underwood
Baucus	Fiero	Joy	Richards	Ward
Beers	Freeman	Kinney	Richardson	Wart
Benedict	Germain	Kirkland	Robertson	Wood
Bennett	Gleason	Leigh	Rose	Whipple
Bergen	Gott	Littlefield	Savage	Wilson
Boardman	Graham	Littlejohn	Scott	Wilder
Boyd	Hall	Maguire	Searing	J. E. Willis
Brust	Harpur	Mallory	Seeley	Winne
Burgess	Hatch	May	Sharp	D. P. Wood
Burnett	Hinkley	McGraw	Sill	W. H. Wood
Case	Holdridge	G. Miller		

83

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to amend chapter 281 of the Session Laws of 1836, entitled 'An act to protect sidewalks along highways,' passed May 10, 1836," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

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{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative are,

Angla	Crocheron	Hull	Odell	Suffern
Aitken	Cumming	Mos. Hutchinson	Preston	Thompson
Bailey	Cushman	Jenkins	Randall	Thorn
Baker	Dawson	Joy	Richards	Townsend
R. J. Baldwin	A. A. Dunlop	Kinney	Richardson	Underwood
S. Baldwin	R. Dunlap	Kirkland	Rose	Ward
Barrow	Ferguson	Legg	Rowland	Ware
Beers	Fiero	Leigh	Savage	Wart
Benedict	Freeman	Littlefield	Scott	Weed
Bennett	Germain	Littlejohn	Searing	Whipple
Bergen	Gleason	Maguire	Seedons	White
Boardman	Gott	Mallory	Seeley	Whitman
Brust	Graham	May	Sharp	Wilson
Burgees	Harpur	McGraw	Sill	Wilder
Barnett	Harris	McMurray	Smalley	J. E. Willis
Case	Hinkley	Mills	Speaker	Winne
Cook	Holdridge	Mitchell	Stephens	D. P. Wood
Collins	Howell	Morris	Sterling	W. H. Wood
Conkling	Hoyle	Noble		

98

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to erect a new county from parts of the counties of Tompkins, Steuben and Chemung, by the name of Schuyler, and to alter the town lines of Bradford and Wayne, in the county of Steuben, to erect the town of Van Etten, and annex parts of the towns of Erin and Catharine to the town of Cayuta, in the county of Chemung," coming up for its third reading,

Mr. Joy moved to recommit said bill to the committee on the erection and division of towns and counties, with instructions to amend the same so as to exclude from the proposed territory such portion of the town of Hector, in the county of Tompkins, as lies west of a line running parallel with, and five miles west of, the east boundary of said village.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Joy, and it was determined in the negative.

Mr. Williams moved to recommit said bill with instructions to strike out the towns of Tyrone and Orange, and those parts of the towns of Bradford and Wayne included in the bill.

Mr. Randall moved to add to the instructions to amend by striking out that portion of the territory in the county of Chemung known as the towns of Catharine and Dix, and that portion of the towns of Cayuta and Erin, in said county of Chemung.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the negative.

Mr. Williams moved to recommit said bill with instructions to amend by striking out that part of the town of Wayne included in the bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Randall, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the second amendment of Mr. Williams, and it was determined in the negative.

Mr. Peters moved to reconsider the vote taken upon Mr. Joy's amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

On motion of Mr. Littlejohn,

The time for adjournment was extended 20 minutes.

Mr. Joy moved to recommit said bill with instructions to amend as follows:

§ 18. For the purpose of impartially determining the proper site or sites for the court house, jail and clerk's office in the said county of Schuyler, a special election is hereby ordered to be held on the first Tuesday in June next, due notice of which shall be given by the assessors, or a majority of them, of the several towns in said county of Schuyler, in the same manner as notices are now given for Governor. And the inspectors at each poll in the several towns in said county of Schuyler, at the special election aforesaid, shall provide a box to receive the ballots of the electors of said towns in relation to the location of the buildings aforesaid; and each voter may present a ballot on which shall be written or printed, or partly written and partly printed, one of the following forms, viz: "For the location of the county buildings in the village of Havana," or "For the location of the county buildings in the village of Watkins." The said ballots shall be endorsed "Location of county buildings," and so folded as to conceal the contents of the ballot, and exhibit the endorsement. And all the citizens entitled to vote for member of Assembly in their respective districts, shall be entitled to vote on the location of the county buildings aforesaid, during the day of election in the several election districts in which they reside. And all those parts of towns hereinbefore annexed or set to other towns in said county of Schuyler, shall vote at such election in the districts adjoining said towns. And the site or sites for the said county buildings shall be located in the village receiving a majority of the votes cast at said special election. And the said election shall be conducted in all respects in the manner provided by law in relation to the election of Governor; and all the provisions of law relative to conducting general elections are hereby extended to the said special election, as far as the same may be applicable. After finally closing the poll of such election, the inspectors thereof shall canvass the ballots given in relation to the said location of county buildings in the same manner as required by law to canvass ballots given for Governor; and thereupon shall be set down in writing, and in words

at full length, the whole number of votes given for the location of the county buildings in said county of Schuyler. The supervisors of the several towns of the said county of Schuyler shall meet on the second Tuesday in June next, at some convenient place in the village of Havana, for the purpose of canvassing the votes cast at said special election, and they shall proceed in the same manner as is now provided by law in respect to canvassing the votes given at an election for Governor; and within five days thereafter, they shall file a certificate of said canvass in the clerk's office of the county of Chemung, which said certificate shall be conclusive as to the village wherein said county buildings shall be located.

Mr. Clinton moved the time of adjournment be extended ten minutes.

Mr. Peters moved to amend by making it twenty minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Mr. Wood moved that the time of adjournment be extended until the business before the House be disposed of.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Conkling moved the previous question.

Mr. Speaker then put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the affirmative.

{ AYES 50 }
{ NOES 30 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Burnett	Hall	Mitchell	Thompson
S. Baldwin	Chesbro	Harris	Nelson	Thorn
Barrow	Cook	Hatch	Payne	Townsend
Bausus	Conkling	Holdridge	Preston	Ware
Benedict	Crocheron	Littlejohn	Richardson	Weed
Bennett	Cushman	Lozier	Robertson	White
Bergen	A. A. Dunlop	Maguire	Savage	Whitman
Boardman	R. Dunlap	Mallory	Sessions	Wilson
Borwick	German	McGraw	Sill	Wilder
Boyd	Gorham	McMurray	Stephens	J. E. Willis 50

Those who voted in the negative are,

R. J. Baldwin	Howell	Kirkland	Peters	Sterling
Beers	Hull	Legg	Rose	Suffern
Burgess	Mos. Hutchinson	Leigh	Rowland	Ward
Clinton	Jenkins	Mather	Scott	Whipple
Harper	Joy	Mills	Sealey	Williams
Hollenbeck	Kinney	Noble	Sheeley	Winne 30

Mr. Speaker then put the main question, it being whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 08 }

Those who voted in the affirmative, are

Angle	Conkling	Holdridge	Noble	Thorn
Aitken	Crocheron	Hull	Payne	Townsend
Bailey	Cumming	Kinney	Peters	Underwood
R. J. Baldwin	Cushman	Kirkland	Preston	Ward
S. Baldwin	A. A. Dunlop	Legg	Richardson	Ware
Barrow	R. Dunlap	Leigh	Robertson	Wart
Baucus	Ferguson	Littlejohn	Rose	Whipple
Benedict	Fiero	Lozier	Rowland	White
Bennett	Freeman	Maguire	Savage	Whitman
Boardman	Germain	Mallory	Scott	Wilson
Bostwick	Gleason	Mather	Searing	Wilder
Boyd	Gorham	McGraw	Sessions	D. Willis
Burnett	Graham	McMurray	Seeley	J. E. Willis
Chesebro	Hall	Mills	Sill	Winne
Clinton	Harris	Mitchell	Speaker	D. P. Wood
Cook	Hatch	Morris	Stephens	W. H. Wood
Collins	Hinkley	Nelson	Thompson	84

Those who voted in the negative are,

Beers	Joy	Smalley	Suffern	Williams
Cost	Randall	Sterling		8

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour for adjournment having expired, Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Hoyle asked leave of absence for four days, which was granted.

Mr. Richardson asked leave of absence for three days, which was granted.

Mr. Hall asked leave of absence until Tuesday next, which was granted.

The bill entitled "An act to provide for the enrolment of the militia and the organization of uniform corps, and the discipline of the military forces of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 16 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	Morris	Sterling
Aitken	Cook	Holdridge	Nelson	Suffern
Bailey	Conkling	Howell	Noble	Thorn
Baker	Cost	Hoyle	Odell	Townsend
R. J. Baldwin	Crocheron	Hull	Peters	Ward
S. Baldwin	Cumming	Mos. Hutchinson	Preston	Ware
Barrow	A. A. Dunlop	Kinney	Richardson	Weed
Baucus	R. Dunlap	Legg	Robertson	Whipple
Beers	Fiero	Leigh	Rowland	White
Benedict	Germain	Littlefield	Savage	Wilson
Bennett	Gibbs	Littlejohn	Scott	Wilder
Bergen	Gleason	Magnire	Searing	D. Willis
Boardman	Gorham	Mallory	Seeley	J. E. Willis
Boyd	Hall	McGraw	Sharp	Williams
Bruat	Harpur	McMurray	Sill	Winne
Burgess	Harris	G. Miller	Speaker	D. P. Wood
Burnett	Hatch	Mitchell	Stephens	84.

Those who voted in the negative are,

Collins	Hollenbeck	Kirkland	Richards	Underwood
Dawson	Jenkins	Mills	Rose	Wart
Ferguson	Joy	Randall	Thompson	W. H. Wood
Graham				16

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Peters,

The rule was suspended, two-thirds voting in favor thereof, for the purpose of allowing him to move the recommitment of the bill entitled "An act to amend the general railroad law."

Mr. Peters moved that said bill be so recommitted.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

The bill entitled "An act to amend an act entitled 'An act in relation to the Cypress Hills cemetery,' passed February 14, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 86 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cumming	Hollenbeck	Payne	Thorn
Bailey	Cushman	Howell	Preston	Townsend
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Randall	Underwood
Baucus	R. Dunlap	Jenkins	Robertson	Ward
Beers	Edwards	Kinney	Rowland	Wart
Benedict	Ferguson	Kirkland	Savage	Weed
Bennett	Fiero	Leigh	Scott	Whipple
Boardman	Freeman	Littlefield	Searing	White
Boyd	Germain	Littlejohn	Sessions	Whitman
Brust	Gibbs	Maguire	Seeley	Wilson
Burgess	Gleason	Martin	Sharp	Wilder
Burnett	Gott	McGraw	Smalley	D. Willis
Case	Graham	Mills	Speaker	J. E. Willis
Chesebro	Hall	Mitchell	Stephens	Williams
Clinton	Harpur	Morris	Sterling	Winne
Cook	Hatch	Nelson	Suffern	D. P. Wood
Conkling	Holdridge	Noble	Thompson	W. H. Wood

86

Those who voted in the negative are,

R. J. Baldwin Dawson

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to enable the Buffalo and New-York city railroad company to increase its capital and to issue preferred stock," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peters, and by unanimous consent,

Said bill was referred to the committee on railroads, to report complete.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Gas Light Company,' passed March 27, 1841," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hollenbeck	Nelson	Stephens
Atken	Cook	Howell	Noble	Sterling
Bailey	Conkling	Hull	Odell	Thompson
Baker	Cost	Jenkins	Palmer	Townsend
R. J. Baldwin	Crocheron	Kinney	Peters	Underwood
S. Baldwin	Cumming	Kirkland	Preston	Ward
Barrow	A. A. Dunlop	Legg	Richardson	Weed
Baucus	R. Dunlop	Leigh	Robertson	White
Benedict	Fiero	Littlefield	Rowland	Wilson
Bennett	Freeman	Mallory	Savage	Wilder
Bergen	Gibbs	McGraw	Searing	J. E. Willis

Boardman	Gleason	McMurray	Sharp	Williams
Brust	Gott	G. Miller	Sheeley	D. P. Wood
Burgees	Harpur	Mitchell	Smalley	W. H. Wood
Burnett	Holdridge	Morris	Speaker	

74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the stage routes in the city of New-York, and to provide for the formation of companies to operate the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 92
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cushman	Kinney	Richards	Thorn
Bailey	Dawson	Kirkland	Robertson	Townsend
Baker	A. A. Dunlop	Legg	Rose	Underwood
R. J. Baldwin	R. Dunlap	Leigh	Rowland	Ward
S. Baldwin	Ferguson	Littlefield	Savage	Ware
Barrow	Fiero	Littlejohn	Scott	Wart
Baucus	Germain	Maguire	Searing	Weed
Benedict	Gleason	Mallory	Sessions	Whipple
Bennett	Gott	Martin	Seeley	White
Boardman	Graham	McGraw	Sharp	Whitman
Boyd	Hall	Mills	Sheeley	Wilson
Burgees	Harpur	G. Miller	Sill	Wilder
Chesbro	Harris	Mitchell	Smalley	D. Willis
Clinton	Holdridge	Morris	Speaker	J. E. Willis
Cook	Hollenbeck	Noble	Stephens	Williams
Collins	Howell	Odell	Sterling	Winn
Conkling	Mos. Hutchinson	Peters	Suffern	D. P. Wood
Crocheron	Jenkins	Preston	Thompson	W. H. Wood
Cumming	Joy			

92

For the negative,

Aitken

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,' passed April 10, 1850," coming up for its third reading,

On motion of Mr. Angle, and by unanimous consent,

Said bill was amended as follows :

§ 2. This amendment shall not impair or affect any right or liability which has arisen or accrued under the act hereby amended, nor shall it affect any proceedings to enforce such right or liability.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 12 }

Those who voted in the affirmative are,

Aitken	Cost	Hollenbeck	Payne	Sterling
Bailey	Crocheron	Howell	Peters	Suffern
S. Baldwin	Cumming	Hull	Preston	Townsend
Beers	Dawson	Kinney	Randall	Ware
Bennett	A. A. Dunlop	Legg	Richards	Weed
Bergen	Freeman	Leigh	Rose	Whipple
Boardman	Germain	Littlefield	Scott	Whitman
Boyd	Gibbs	Maguire	Searing	Wilson
Brust	Gott	McGraw	Seeley	Wilder
Burgess	Graham	G. Miller	Sheeley	D. Willis
Case	Hall	Morris	Sill	J. E. Willis
Chesebro	Harpur	Munroe	Smalley	Williams
Clinton	Harris	Noble	Speaker	Winne
Cook	Hatch	Odell	Stephens	W. H. Wood
Conkling	Holdridge			

72

Those who voted in the negative are,

Angle	Collins	Littlejohn	Richardson	Ward
R. J. Baldwin	Mos. Hutchinson	McMurray	Underwood	D. P. Wood
Benedict	Kirkland			

12

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to release the interest of the people of this State to certain real estate of which Henry Culvert died seized, to John Cavenaugh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Mos. Hutchinson	Peters	Suffern
Aitken	Collins	Jenkins	Preston	Thompson
Bailey	Conkling	Kinney	Randall	Thorn
Baker	Cost	Kirkland	Richards	Underwood
Beckus	Cumming	Legg	Richardson	Ward
R. J. Baldwin	Cushman	Leigh	Robertson	Ware
S. Baldwin	Dawson	Littlefield	Rose	Wart
Baucus	A. A. Dunlop	Littlejohn	Rowland	Weed
Benedict	R. Dunlap	Maguire	Savage	Whipple
Bennett	Ferguson	Mallory	Scott	White
Bergen	Fiero	Martin	Searing	Whitman
Boardman	Gleason	McGraw	Sessions	Wilson
Bestwick	Gorham	McMurray	Seeley	Wilder
Boyd	Gott	L. Miller	Sheeley	D. Willis

Brust
Burgess
Burnett
Case
Chesbore
Clinton

Harpur
Harris
Hatch
Hinkley
Howell
Hoyle

Morris
Nelson
Noble
Odell
Palmer

Sill
Smalley
Speaker
Stephens
Sterling

J. E. Willis
Williams
Winne
D. P. Wood
W. H. Wood

97

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to libel," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle
Aitken
E. J. Baldwin
S. Baldwin
Baucus
Beers
Benedict
Bennett
Bergen
Boardman
Bostwick
Boyd
Brust
Burgess
Burnett
Case

Chesbore
Clinton
Cook
Collins
Conkling
Cost
Crocheron
Cumming
Dawson
A. A. Dunlop
R. Dunlap
Fiero
Freeman
Germain
Gleason
Gorham

Gott
Hall
Harpur
Harris
Hatch
Holdridge
Howell
Hull
Mos. Hutchinson
Jenkins
Kinney
Kirkland
Legg
McGraw
McMurray
Morris

Nelson
Noble
Peters
Preston
Randall
Richards
Richardson
Robertson
Randall
Savage
Scott
Searing
Smalley
Speaker
Stephens

Sterling
Saffern
Thompson
Underwood
Ward
Ware
Weed
Whipple
Whitman
Wilson
Wilder
D. Willis
J. E. Willis
Winne
W. H. Wood

78

Those who voted in the negative are,

Seeley

Williams

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise a part of the records in the office of the Secretary of State and in the office of the clerk of the county of Oneida, to be transcribed and deposited in the clerk's office of the county of Lewis," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Kinney	Payne	Thorn
Atken	Cook	Kirkland	Peters	Townsend
Bailey	Collins	Leigh	Preston	Underwood
Baker	Conkling	Littlefield	Richards	Ward
Baucus	Cumming	Maguire	Richardson	Ware
R. J. Baldwin	Cushman	Mallory	Robertson	Wart
S. Baldwin	Dewey	Martin	Rowland	Weed
Barrow	A. A. Dunlop	Mather	Savage	Whipple
Beers	R. Dunlap	May	Searing	Whitman
Benedict	Ferguson	McGraw	Seeley	Wilson
Bennett	Fiero	McMurray	Sharp	Wilder
Bergen	Freeman	Mills	Smalley	D. Willis
Boardman	Germain	G. Miller	Speaker	J. E. Willis
Brust	Gleason	Mitchell	Stephens	Williams
Burgess	Harpur	Morris	Sterling	Winne
Burnett	Harris	Nelson	Suffern	D. P. Wood
Case	Hollenbeck	Noble	Thompson	W. H. Wood
Chesebro	Jenkins	Odell		

88

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act relative to the railroads on Long Island, passed April 13, 1834," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Collins	Hatch	McGraw	Smalley
Atken	Conkling	Hinkley	Mills	Speaker
Bailey	Cost	Howell	G. Miller	Stephens
S. Baldwin	Dewey	Hull	Mitchell	Suffern
Baucus	A. A. Dunlop	Jenkins	Morris	Thompson
Beers	R. Dunlap	Joy	Nelson	Underwood
Benedict	Ferguson	Kinney	Noble	Ward
Bergen	Fiero	Kirkland	Odell	Ware
Boardman	Freeman	Leigh	Preston	White
Boyd	Germain	Leigh	Randall	Whitman
Brust	Gleason	Littlefield	Richards	Wilson
Burgess	Gorham	Littlejohn	Rowland	J. E. Willis
Burnett	Gott	Maguire	Savage	Winne
Case	Hall	Mallory	Searing	D. P. Wood
Clinton	Harpur	Mather	Sull	W. H. Wood
Cook	Harris			

77

Those who voted in the negative are,

Seeley Wart

2

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking,' passed April 18, 1838, and the acts amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 26 }

Those who voted in the affirmative are,

Angle	Burgess	Hall	McMurray	Sheeley
Aitken	Burnett	Harris	Mills	Smalley
Baker	Clinton	Hatch	G. Miller	Stephens
S. Baldwin	Cook	Hinkley	Morris	Sumner
Barrow	Conkling	Hoyle	Nelson	Thorn
Baucus	Crocheron	Hull	Odell	Ward
Beers	Cumming	Mos. Hutchinson	Peters	Ware
Benedict	Dawson	Kinney	Preston	Wart
Bennett	Dewey	Leigh	Richardson	Weed
Bergen	Ferguson	Littlefield	Robertson	Whipple
Boardman	Fiero	Littlejohn	Rowland	Wilson
Bostwick	Germain	Mallory	Savage	J. E. Willis
Boyd	Gleason	Mather	Scott	Williams
Brust	Graham	McGraw	Sharp	

69

Those who voted in the negative are,

Bailey	Gott	Martin	Sterling	Whitman
Cass	Jenkins	Mitchell	Thompson	Wilder
Chesebro	Kirkland	Noble	Townsend	Winne
Collins	Legg	Seeley	Underwood	D. P. Wood
A. A. Dunlop	Maguire	Shi	White	W. H. Wood
Freeman				

25

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the publication of the results of the meteorological observations made under the direction of the Regents of the University, from the year 1825 to 1850, inclusive," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Harpur	McMurray	Stephens
Aitken	Cook	Harris	G. Miller	Sterling
Bailey	Conkling	Hinkley	Nelson	Sumner
Baker	Crocheron	Hollenback	Payne	Underwood
E. J. Baldwin	Dawson	Howell	Randall	Ward

S. Baldwin	Dewey	Hoyle	Richards	Ware
Baucus	A. A. Dunlop	Hull	Richardson	Wart
Beers	R. Dunlap	Jenkins	Robertson	Weed
Benedict	Ferguson	Kirkland	Rowland	White
Bennett	Fiero	Legg	Savage	Whitman
Bergen	Freeman	Littlefield	Scott	Wilson
Backus	Germain	Littlejohn	Searing	Wilder
Boyd	Gleason	Maguire	Sharp	J. E. Willis
Burgess	Gorham	Mallory	Sill	Winne
Burnett	Gott	McGraw	Speaker	W. H. Wood
Chesebro	Hall			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relative to common schools in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

} AYES 90 }
 } NOES 02 }

Those who voted in the affirmative, are,

Angle	Clinton	Harris	McMurray	Sill
Aitken	Cook	Hatch	G. Miller	Speaker
Bailey	Collins	Hinkley	Mitchell	Stephens
Bakes	Conkling	Holdridge	Morris	Sterling
Backus	Crocheron	Hull	Noble	Suffern
R. J. Baldwin	Cumming	Mos. Hutchinson	Odell	Townsend
S. Baldwin	Cushman	Jenkins	Palmer	Ward
Barrow	Dawson	Kinney	Peters	Wart
Beers	Dewey	Kirkland	Preston	Weed
Bennett	R. Dunlap	Legg	Richards	Whipple
Boardman	Ferguson	Leigh	Rowland	Whitman
Boydwick	Fiero	Littlefield	Savage	Wilson
Boyd	Freeman	Littlejohn	Scott	Wilder
Brust	Germain	Maguire	Searing	J. E. Willis
Burgess	Gleason	Mallory	Sessions	Williams
Burnett	Gott	Martin	Seeley	Winne
Case	Hall	Mather	Sharp	J. S. Wood
Chesebro	Harpur	McGraw	Sheeley	W. H. Wood

90

Those who voted in the negative are,

Underwood White

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise Andrew Coates to take, hold, and convey real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 10 }

Those who voted in the affirmative are,

Angle	Chesebro	Harris	Mather	Thorn
Aitken	Clinton	Hatch	McGraw	Townsend
Bailey	Cost	Holdridge	Mills	Ward
Baker	Crocheron	Hull	G. Miller	Ware
R. J. Baldwin	Cumming	Jenkins	Mitchell	Weed
S. Baldwin	Dewey	Joy	Nelson	Whipple
Barrow	R. Dunlap	Kinney	Odell	White
Beers	Ferguson	Kirkland	Richards	Whitman
Benedict	Fiero	Lee	Rowland	Wilson
Bergen	Germain	Legg	Savage	D. Willis
Bostwick	Gleason	Leigh	Searing	J. E. Willis
Brust	Gorham	Littlefield	Sheeley	Williams
Burgess	Graham	Lozier	Smalley	D. P. Wood
Burnett	Hall	Maguire	Stephens	J. S. Wood
Case	Harpur	Mallory,	Suffern	

74

Those who voted in the negative are,

Boardman	Conkling	Mos. Hutchinson	Peters	Seeley
Boyd	Hinkley	Littlejohn	Randall	Winne

10

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for improving the Sacandaga river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 05 }

Those who voted in the affirmative are,

Aitken	Cost	Hinkley	Mitchell	Stephens
Angle	Crocheron	Howell	Morris	Suffern
Bailey	Cumming	Hull	Nelson	Thompson
Baker	Dawson	Mos. Hutchinson	Odell	Townsend
S. Baldwin	Dewey	Jenkins	Peters	Ward
Barrow	R. Dunlap	Kinney	Preston	Weed
Baucus	Ferguson	Kirkland	Randall	Whipple
Beers	Fiero	Leigh	Richards	White
Bennett	Freeman	Littlefield	Rowland	Wilson
Bergen	Germain	Littlejohn	Savage	Wilder
Bostwick	Gleason	Maguire	Searing	D. Willis
Boyd	Gott	Mallory	Seeley	J. E. Willis
Burgess	Graham	Martin	Sharp	Williams
Case	Hall	McGraw	Sheeley	D. P. Wood
Clinton	Harpur	G. Miller	Smalley	J. S. Wood
Cook	Harris	L. Miller	Speaker	W. H. Wood

80

Those who voted in the negative are,

Boardman	Joy	Mills	Underwood	Winne
----------	-----	-------	-----------	-------

5

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the expenses for the opening, widening or otherwise improving the avenues, streets, public parks, and other grounds in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cumming	Hull	Mitchell	Thorn
Aitken	Dawson	Mos. Hutchinson	Morris	Townsend
Bailey	Dewey	Jenkins	Nelson	Underwood
Baker	R. Dunlap	Joy	Odell	Ward
S. Baldwin	Fiero	Kinney	Peters	Ware
Baucus	Freeman	Kirkland	Richards	Weed
Bennett	Germain	Legg	Scott	Whipple
Bergen	Gleason	Leigh	Searing	White
Boardman	Gott	Littlejohn	Seeley	Whitman
Boyd	Graham	Losier	Sharp	Wilson
Brust	Hall	Maguire	Sheeley	Wilder
Case	Harpur	Mallory	Sill	D. Willis
Chesebro	Harris	Martin	Smalley	J. E. Willis
Clinton	Hatch	Mather	Speaker	Williams
Cook	Hinkley	McGraw	Stephens	Winne
Conkling	Holdridge	McMurray	Suffern	D. P. Wood
Cost	Howell	Mills	Thompson	W. H. Wood

For the negative,

Barrow

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increased compensation for work done by him in abolishing a nuisance on State lands in the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 66 }
{ NOES 18 }

Those who voted in the affirmative are,

Angle	Fiero	Kinney	Noble	Suffern
Bailey	Germain	Kirkland	Payne	Underwood
Baker	Gleason	Leigh	Preston	Ward
S. Baldwin	Gorham	Littlefield	Richards	Ware
Bennett	Gott	Littlejohn	Robertson	Wart
Brust	Graham	Lozier	Searing	Weed
Burgess	Hall	Maguire	Seeley	Whipple
Case	Harpur	Mallory	Sharp	Wilson
Chesebro	Harris	McMurray	Shoeley	Wilder
Cook	Hatch	G. Miller	Sill	D. Willis
Dawson	Hinkley	Mitchell	Smalley	J. E. Willis
Dewey	Mos. Hutchinson	Morris	Stephens	D. P. Wood
R. Dunlap	Jenkins	Nelson	Sterling	W. H. Wood
Ferguson				

66

Those who voted in the negative are,

Aitken	Cost	McGraw	Rowland	Whitman
Boardman	Freeman	Mills	Thompson	Williams
Boyd	Joy	Peters	White	Winne
Conkling	Legg	Randall		

18

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters, from the committee on railroads, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," to report forthwith complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The Senate bill entitled "An act to make the village of Hamilton a single road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hollenbeck	Mitchell	Suffern
Aitken	Clinton	Howell	Morris	Thorn
Bailey	Cook	Jenkins	Noble	Underwood
Baker	Conkling	Kinney	Odell	Ward
S. Baldwin	Cost	Kirkland	Peters	Wart
Barrow	Crocheron	Legg	Preston	Weed
Beers	Dawson	Leigh	Roe	Whipple
Benedict	R. Dunlop	Littlefield	Rowland	White
Bennett	Ferguson	Littlejohn	Savage	Whitman
Bergen	Freeman	Mallory	Searing	Wilson
Boardman	Gleason	Martin	Seeley	Wilder
Bostwick	Gott	Mather	Shoeley	D. Willis
Boyd	Harpur	McGraw	Sill	J. E. Willis
Brust	Harris	McMurray	Smalley	D. P. Wood
Burgess	Hatch	Mills	Sterling	W. H. Wood
Case	Hinkley	G. Miller		

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act authorising and requiring the county of Dutchess to pay to the county of Putnam the expenses of the trial of William Somers, for murder," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative, are

Angle	Conkling	Jenkins	Randall	Townsend
Bailey	Crocheron	Kinsey	Richards	Underwood
Baker	Cumming	Kirkland	Robertson	Ward
S. Baldwin	R. Dunlap	Legg	Rowland	Ware
Barrow	Ferguson	Leigh	Savage	Weed
Beers	Fiero	Littlefield	Searing	Whipple
Benedict	Fresman	Littlejohn	Seeley	White
Bennett	Germain	Mallory	Sharp	Whitman
Bergen	Gleason	McGraw	Sheeley	Wilson
Boardman	Harper	McMurray	Sill	Wilder
Boatwick	Harris	Mills	Smalley	D. Willis
Brust	Hatch	Mitchell	Speaker	J. E. Willis
Burgess	Hinkley	Morris	Stephens	Williams
Case	Hollenbeck	Nelson	Sterling	Winne
Chesebro	Howell	Odell	Suffern	D. P. Wood
Clinton	Hull	Preston	Thompson	W. H. Wood
Cook				

81

For the negative,

Gott

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the village of Lockport," coming up for its third reading,

On motion of Mr. R. Dunlap, and by unanimous consent,

Said bill was amended by striking out the word "the" from the 5th line in the 2d section, before the word "newspaper," and inserting the words "a daily."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hollenbeck	Peters	Underwood
Aitken	Crocheron	Howell	Preston	Ward
Bailey	Gumming	Hull	Randall	Ware
Baker	Dawson	Kirkland	Robertson	Wart
R. J. Baldwin	Dewey	Legg	Rose	Weed
S. Baldwin	R. Dunlap	Leigh	Rowland	White
Beers	Ferguson	Littlefield	Savage	Whitman
Benedict	Fiero	Maguire	Scott	Wilson
Bennett	Germain	Mallory	Seeley	Wilder
Bergen	Gibbs	Martin	Sharp	D. Willis
Boardman	Gorham	McGraw	Sheeley	J. E. Willis
Boyd	Gott	McMurray	Sill	Williams
Burgess	Graham	G. Miller	Speaker	Winne
Case	Harpur	Mitchell	Stephens	D. P. Wood
Chesebro	Harris	Morris	Sterling	J. S. Wood
Cook	Hatch	Noble	Thompson	W. H. Wood
Conkling	Hinkley	Palmer	Thorn	

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

The bill entitled "An act in relation to the examination of witnesses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Howell	Peters	Underwood
Aitken	Conkling	Hull	Preston	Ward
Bailey	Cost	Mos. Hutchinson	Robertson	Ware
Barrow	Crocheron	Kirkland	Rowland	Weed
Beers	Cumming	Legg	Savage	Whipple
Benedict	Dewey	Leigh	Scott	Whitman
Bennett	R. Dunlap	Littlefield	Searing	Wilson
Bergen	Ferguson	Littlejohn	Seeley	Wilder
Boardman	Fiero	Mallory	Sharp	D. Willis
Bostwick	Freeman	Martin	Sheeley	J. E. Willis
Brust	Gleason	McGraw	Sill	Williams
Burgess	Gott	Mitchell	Smalley	D. P. Wood
Case	Hall	Morris	Stephens	J. S. Wood
Chesebro	Harpur	Noble	Suffern	W. H. Wood
Clinton	Hinkley	Odell		

78

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Peters moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

{ AYES 31 }
{ NOES 43 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Freeman	Joy	Peters	Shil
Bailey	Gott	Kirkland	Preston	Thompson
S. Baldwin	Hall	Legg	Rowland	White
Beers	Harpur	Leigh	Savage	D. Willis
Bestwick	Hollenbeck	Martin	Seeley	D. P. Wood
Burgess	Mos. Hutchinson	Odell	Sheeley	J. S. Wood
R. Dunlap				

31

Those who voted in the negative are,

Angle	Cook	Graham	Richards	Weed
E. J. Baldwin	Conkling	Hinkley	Smalley	Whitman
Barrow	Cost	Howell	Speaker	Wilson
Bergen	Crocheron	Littlefield	Suffern	Wilder
Boardman	Cumming	Littlejohn	Underwood	J. E. Willis
Brust	Dawson	Mallory	Ward	Williams
Cass	Ferguson	Morris	Ware	Winne
Chesebro	Fiero	Noble	Wart	W. H. Wood
Clinton	Germain	Randall		

43

The bill entitled "An act to enable the Comptroller to credit back to the county of Clinton certain taxes on non-resident lots in said county, heretofore assessed and cancelled," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Mos. Hutchinson	Peters	Townsend
Bailey	Conkling	Joy	Preston	Underwood
Baker	Cost	Kinney	Randall	Ward
S. Baldwin	Crocheron	Kirkland	Rowland	Ware
Baucus	Cumming	Legg	Savage	Wart
Beers	Dawson	Leigh	Scott	Weed
Benedict	A. A. Dunlop	Littlefield	Searing	Whipple
Bennett	R. Dunlap	Littlejohn	Sessions	White
Bergen	Ferguson	Maguire	Seeley	Whitman
Boardman	Fiero	Mallory	Sharp	Wilson
Bestwick	Freeman	Martin	Shil	Wilder
Brust	Germain	McMurray	Smalley	D. Willis
Burgess	Gott	Mitchell	Speaker	J. E. Willis
Burnett	Harpur	Morris	Stephens	Williams
Cass	Hatch	Odell	Sterling	Winne
Chesebro	Hinkley	Palmer	Suffern	D. P. Wood
Clinton	Howell	Payne	Thompson	W. H. Wood

85

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Seeley moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Seeley, and it was determined in the negative.

The bill entitled "An act further to amend the act relative to the New-York dry dock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Cost	Hinkley	Peters	Ware
Bailey	Crocheron	Howell	Preston	Weed
E. J. Baldwin	Cumming	Kinney	Savage	Whipple
S. Baldwin	Dewey	Legg	Scott	White
Bennett	R. Dunlap	Littlefield	Searing	Whitman
Bergen	Ferguson	Maguire	Seasons	Wilson
Boardman	Fiero	Mallory	Seeley	Wilder
Brust	Fresman	McGraw	Sill	D. Willis
Burgess	Germain	McMurray	Stephens	J. E. Willis
Chesebro	Gorham	G. Miller	Sterling	Williams
Clinton	Gott	Mitchell	Suffern	Winne
Cook	Harpur	Nelson	Thompson	D. P. Wood
Collins	Harris	Noble	Townsend	J. S. Wood
Conkling	Hatch	Odell	Ward	W. H. Wood 70

Those who voted in the negative are,

Barrow	Graham	Leigh	Sharp	Underwood
Dawson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Dawson,

At fifteen minutes to seven o'clock p. m., the House adjourned.

FRIDAY, MARCH 31, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act relative to a toll gate on the De Buyter plank road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 60 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Howell	Nelson	Wade
Bailey	Cumming	Hull	Noble	Ward
Baker	Guahman	Mos. Hutchinson	Odell	Wood
R. J. Baldwin	Dawson	Jenkins	Preston	Whipple
S. Baldwin	R. Dunlap	Kirkland	Rose	White
Barton	Ferguson	Legg	Rowland	Whitman
Baucus	Fiero	Leigh	Searing	Wilson
Beers	Freeman	Mallory	Seeley	Wilder
Benedict	Germain	Mather	Sharp	J. E. Willis
Bergen	Gibbs	McGraw	Sheeley	Winne
Brust	Gott	McMurray	Speaker	D. P. Wood
Burnett	Harpur	L. Miller	Stephens	J. S. Wood
Clinton	Holdridge	Mitchell	Suffern	W. H. Wood
Conkling	Hollenbeck	Morris	Townsend	69

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's Fund and Retreat, and of the Mariners' Family Asylum," coming up for its third reading,

Mr. Conkling moved to recommit said bill to the committee on commerce and navigation, with instructions to strike out the first section.

Mr. Clinton moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the negative.

Debate was had thereon, when

Mr. Ward moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 96 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Cost	Holdridge	Morris	Speaker
Bailey	Crocheron	Hollenbeck	Nelson	Saffern
Baker	Cumming	Howell	Noble	Thompson
Backus	Cushman	Mos. Hutchinson	Odell	Thorn
R. J. Baldwin	Dawson	Jenkins	Peters	Townsend
S. Baldwin	Dewey	Kinney	Preston	Underwood
Barrow	A. A. Dunlop	Kirkland	Randall	Ward
Barton	E. Dunlap	Legg	Richards	Ware
Baucus	Ferguson	Leigh	Richardson	Weed
Beers	Fiero	Littlejohn	Rose	Whipple
Benedict	Freeman	Lozier	Rowland	White
Bennett	Gleason	Maguire	Savage	Whitman
Bergen	Gorham	Mallory	Scott	Wilson
Boardman	Gott	Martin	Searing	Wilder
Boyd	Graham	Mather	Sessions	D. Willis
Brust	Hall	McGraw	Seeley	J. E. Willis
Burgess	Harpur	Mills	Sharp	Winne
Chesebro	Harris	L. Miller	Sheeley	D. P. Wood
Clinton	Hinkley	Mitchell	Sill	W. H. Wood
Cook				

96

For the negative,

Conkling

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to increase the capital stock of the Buffalo, Corning and New-York railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Crocheron	Mos. Hutchinson	Odell	Stephens
Backus	Outraming	Jenkins	Peters	Thorn
R. J. Baldwin	Cushman	Kinney	Preston	Townsend
S. Baldwin	Dewey	Kirkland	Randall	Ward
Barrow	A. A. Dunlop	Legg	Richards	Ware
Barton	Fiero	Littlejohn	Richardson	Wart
Baucus	Freeman	Lozier	Rose	Weed
Beers	Germain	Maguire	Rowland	Whipple
Benedict	Gibbs	Mallory	Savage	White
Bennett	Gleason	Martin	Scott	Whitman
Bergen	Graham	Mather	Searing	Wilson
Boardman	Hall	McMurray	Sessions	Wilder
Bostwick	Harpur	G. Miller	Seeley	D. Willis
Brust	Hatch	Mitchell	Sharp	J. E. Willis
Burgess	Hinkley	Morris	Sheeley	Winne
Chesebro	Holdridge	Nelson	Sill	D. P. Wood
Cook	Hollenbeck	Noble	Speaker	W. H. Wood
Conkling	Hull			

87

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with out amendment.

The bill entitled "An act to authorise the board of supervisors of Schenectady county to levy a tax of five hundred dollars annually, on the town of Rotterdam, for highway purposes in that town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cost	Hollenbeck	Morris	Stephens
Backus	Crocheron	Hull	Nelson	Suffern
S. Baldwin	Cumming	Mos. Hutchinson	Noble	Thompson
Barton	Cushman	Jenkins	Odell	Thorn
Bears	A. A. Dunlop	Kinney	Peters	Underwood
Benedict	Ferguson	Kirkland	Preston	Ward
Bennett	Fiero	Legg	Richards	Weed
Bergen	Freeman	Leigh	Robertson	White
Boardman	Germain	Littlejohn	Scott	Wilson
Bostwick	Gibbs	Lozier	Searing	Wilder
Boyd	Gorham	Maguire	Sessions	J. E. Willis
Burgess	Gott	May	Seeley	Winne
Chesebro	Graham	McGraw	Sheeley	D. P. Wood
Clinton	Harpur	G. Miller	Sill	J. S. Wood
Cook	Hatch	Mitchell	Speaker	W. H. Wood
Conkling	Hinkley			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mather moved a reconsideration of the vote taken yesterday on the final passage of the bill entitled "An act amendatory of an act entitled 'An act authorising the business of banking,' passed April 18, 1838, and the acts amending the same."

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 42 }
{ NOES 46 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Fiero	Mather	Rowland	Wart
Baker	Freeman	May	Scott	Whipple
Bennett	Gott	McGraw	Seeley	White
Bostwick	Harris	MNs	Sheeley	Whitman
Burgess	Howell	L. Miller	Sterling	Williams
Chesebro	Mos. Hutchinson	Mitchell	Suffern	D. P. Wood

Goffins
A. A. Dunlop
Ferguson

Jay
Richard
Legg

Preston
Randall

Thompson
Underwood

J. S. Weed
W. H. Wood

42

Those who voted in the negative are,

Aitken
Backus
R. J. Baldwin
S. Baldwin
Barrow
Barton
Boardman
Boyd
Burnett
Clinton

Cook
Conkling
Cost
Crocherson
Cushman
Dawson
Dewey
R. Dunlop
Germain

Gorham
Hatch
Holdridge
Hollenbeck
Leigh
Littlejohn
Maguire
Martin
McMurray

G. Miller
Morris
Nelson
Odell
Robertson
Savage
Seasions
Sharp
Sill

Smalley
Ward
Ware
Weed
Wilson
Wilder
D. Willis
J. E. Willis
Winne

46

The bill entitled "An act to amend title three, part third, chapter seven, article eight, of the Revised Statutes, in relation to the collection of debts due the State upon lost evidences of debts or lost paper," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken
Bailey
Baker
Backus
R. J. Baldwin
Barton
Baucus
Benedict
Bennett
Bergen
Boardman
Boyd
Burst
Burnett
Clinton
Cook

Collins
Conkling
Cost
Cushman
Dawson
Dewey
A. A. Dunlop
Edwards
Ferguson
Fiero
Freeman
Germain
Gott
Harper
Hatch

Holdridge
Hollenbeck
Howell
Hull
Mos. Hutchinson
Jenkins
Kirkland
Legg
Littlejohn
Maguire
Martin
May
McGraw
McMurray
G. Miller

L. Miller
Mitchell
Nelson
Odell
Payne
Preston
Randall
Savage
Seasions
Sealey
Sharp
Sill
Smalley
Sterling
Suffern

Thompson
Thorn
Underwood
Ward
Ware
Whipple
White
Whitman
Wilson
Wilder
D. Willis
J. E. Willis
Winne
J. S. Wood
W. H. Wood

77

For the negative,

Weed

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of James Sheafe Smith," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 02 }

Those who voted in the affirmative are,

Aitken	Burgess	Harpur	McMurray	Thompson
Bailey	Burnett	Hatch	G. Miller	Thorn
Baker	Chesebro	Holdridge	L. Miller	Underwood
Backus	Clinton	Hollenbeck	Nelson	Ward
R. J. Baldwin	Collins	Howell	Noble	Weed
S. Baldwin	Conkling	Hull	Preston	Whipple
Barrow	Cushman	Jenkins	Robertson	White
Barton	Dawson	Kirkland	Savage	Whitman
Baucus	Dewey	Legg	Sessions	Wilder
Beers	A. A. Dunlop	Leigh	Sebley	D. Willis
Benedict	Edwards	Littlejohn	Sharp	E. E. Willis
Bennett	Freeman	Maguire	Sill	Winne
Bergen	Gleason	May	Smalley	D. P. Wood
Boardman	Gorham	McGraw	Suffern	W. H. Wood
Brust	Gott			

72

Those who voted in the negative are,

Boyd	Lozier	2
------	--------	---

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved a call of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

After some proceedings therein,

On motion of Mr. Mosely Hutchinson,

The call was suspended.

The bill entitled "An act to amend an act entitled 'An act in relation to non-resident highway taxes upon certain land in the counties of Warren, Essex and Hamilton,' passed June 8, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	L. Miller	Stephens
Aitken	Collins	Hatch	Mitchell	Sterling
Bailey	Conkling	Hinkley	Morris	Suffern
Baker	Coat	Mos. Hutchinson	Nelson	Thompson
Backus	Crocheron	Jenkins	Noble	Thorn
R. J. Baldwin	Cumming	Joy	Odell	Underwood
S. Baldwin	Cushman	Kinney	Peters	Ward
Barton	Dawson	Kirkland	Preston	Ware
Baucus	A. A. Dunlop	Legg	Randall	Wart
Beers	R. Dunlap	Leigh	Richardson	Weed
Benedict	Edwards	Littlefield	Robertson	Whipple
Bennett	Ferguson	Littlejohn	Rowland	White
Bergen	Fiero	Lozier	Savage	Whitman
Boardman	Freeman	Maguire	Scott	Wilson
Bostwick	Germain	Mallery	Searing	Wilder

Boyd	Gibbs	Martin	Sessions	D. Willis
Brust	Gleason	Mather	Seeley	J. E. Willis
Burgess	Gorham	May	Sharp	Williams
Burnett	Gott	McGraw	Sheeley	Winne
Case	Graham	Mills	Smalley	J. S. Wood
Chesebro	Harpur	G. Miller	Speaker	W. H. Wood
Clinton				

106

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Conkling, from the select committee to which was committed the bill entitled "An act to amend the charter of the Granite insurance company, and to authorize that company to change its place of business," to report sundry amendments, reported the same so amended.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Case	Harpur	Mitchell	Speaker
Aitken	Chesebro	Harris	Morris	Stephens
Bailey	Conkling	Hinkley	Nelson	Suffern
E. J. Baldwin	Cost	Holdridge	Noble	Thompson
S. Baldwin	Crocheron	Hollenbeck	Odell	Thorn
Barton	Cumming	Howell	Peters	Underwood
Baucus	Dawson	Mos. Hutchinson	Preston	Whitman
Beers	A. A. Dunlop	Jenkins	Robertson	Wilson
Benedict	E. Dunlap	Kinney	Rowland	Wilder
Bergen	Ferguson	Kirkland	Searing	D. Willis
Boardman	Fiero	Littlejohn	Sessions	J. E. Willis
Bostwick	Freeman	Lozier	Seeley	Winne
Boyd	Gibbs	Mallory	Sharp	D. P. Wood
Brust	Gleason	Mather	Sill	W. H. Wood
Burgess	Gott	McGraw	Smalley	

74

Those who voted in the negative are,

Clinton Dewey

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the incorporation of companies formed to navigate the lakes, rivers and canals," coming up for its third reading,

Mr. Morris moved to recommit said bill, with instructions to amend the same by striking out the word "canal" wherever it occurs.

Mr. Maguire moved to prolong the hour of adjournment until two o'clock p. m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maguire, and it was determined in the negative.

Mr. Speaker, at half-past one o'clock p. m., announced that the House would take a recess.

HALF PAST THREE O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to prevent the destruction of timber on the lands of the Tuscarora Indians, and to regulate the highway labor among said Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

On motion of Mr. Joy, and by unanimous consent,

Said committee was empowered to report the same complete.

"An act to authorise the president and trustees of the village of Sing Sing to borrow money and to erect a village hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend section 2, title 6, chapter 5, part 1st, of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Littlejohn, and by unanimous consent,

Said bill was referred to a select committee to report complete forthwith.

Mr. Speaker announced as such committee Messrs. Littlejohn, Sessions, Cumming, Morris and Joy.

"An act to amend the acts in relation to plank roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorise certain officers to administer oaths and affirmations in particular cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to exempt the library, edifice and site of the New-York Historical Society from sale under execution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

"An act to provide for the erection of a town hall in the town of West Farms, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to authorise the appraisal and payment of land damages to Silas Walbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to define the powers and duties of the special county judge and surrogate of Chautauque county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorise the appraisal and payment of canal damages to Gustavus Clark," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to release the Fishkill and Beekman plank road from the construction of part of their road, and for other purposes."

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to provide for the education of the children of the Oneida Indians."

Mr. Case moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 {
{ NOES 01 {

Those who voted in the affirmative, are,

Angle	Cost	Holdridge	L. Miller	Thompson
Bailey	Crocheron	Hull	Mitchell	Thorn
Baker	Cumming	Mos. Hutchinson	Nelson	Underwood
Backus	Cushman	Jenkins	Noble	Ware
S. Baldwin	Dawson	Joy	Peters	Weed
Barrow	A. A. Dunlop	Kinney	Robertson	Whipple
Barton	R. Dunlap	Kirkland	Rose	White
Beers	Ferguson	Legg	Scott	Whitman
Benedict	Freeman	Leigh	Sessions	Wilson
Bennett	Germain	Littlefield	Sharp	Wilder
Bergen	Gibbs	Maguire	Smalley	J. E. Willis
Boyd	Gleason	Mallory	Speaker	Winne
Brust	Gott	Mather	Stephens	D. P. Wood
Burgess	Hall	McMurray	Sterling	J. S. Wood
Case	Harpur	Mills	Suffern	W. H. Wood
Cook	Hinkley	G. Miller		

For the negative,

Seeley

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to provide for the education of the children of the Indians of the Onondaga reservation, in the county of Onondaga, in this State."

Mr. D. P. Wood moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, are

Angle	Crocheron	Holdridge	Palmer	Sterling
Bailey	Cumming	Hull	Peters	Suffern
Baker	Cushman	Mos Hutchinson	Randall	Thompson
Backus	Dawson	Jenkins	Richardson	Underwood
S. Baldwin	A. A. Dunlop.	Kinney	Robertson	Ward
Barrow	R. Dunlap	Kirkland	Rose	Ware
Barton	Ferguson	Legg	Rowland	Weed
Beers	Fiero	Leigh	Savage	Whipple
Benedict	Freeman	Littlefield	Scott	White
Bennett	Germain	Mather	Searing	Whitman
Boardman	Gibbs	May	Sessions	Wilson
Boyd	Gleason	McMurray	Seeley	Wilder
Brust	Gott	Mills	Sharp	J. E. Willis
Burgess	Hall	G. Miller	Sheeley	Williams
Case	Harpur	Mitchell	Still	Winne
Chesebro	Harris	Morris	Smalley	D. P. Wood
Cook	Hatch	Nelson	Speaker	J. S. Wood
Conkling	Hinkley	Noble	Stephens	W. H. Wood
Cost				

91

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

On motion of Mr. Sterling, two-thirds of the members elected voting in favor thereof, the rule was suspended for him to make the following report :

Mr. Sterling, from the select committee to which was referred the bill entitled "An act to enable the trustees of the Lancaster school society, at Poughkeepsie, to convey the real estate owned and held by said society, to the city of Poughkeepsie," to report complete, reported the same complete, with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act for the incorporation of companies formed to navigate the lakes, rivers and canals," coming up for its third reading,

Mr. Morris moved to recommit said bill, with instructions to strike out the word "canal" wherever it occurs in said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Morris, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 39 }
{ NOES 61 }

Those who voted in the affirmative are,

Aitken	Cumming	Jenkins	Peters	Stephens
Backus	R. Dunlap	Leigh	Richards	Sterling
S. Baldwin	Germain	Littlejohn	Robertson	Ware
Barrow	Gibbs	Littlejohn	Savage	Weed
Bergen	Gorham	May	Searing	D. Williams
Boyd	Hall	McGraw	Sessions	D. P. Wood
Case	Harris	G. Miller	Sill	W. H. Wood
Conkling	Holdridge	Nelson	Speaker	

39

Those who voted in the negative are,

Angle	Dawson	Mos. Hutchinson	Mitchell	Underwood
Baker	A. A. Dunlop	Joy	Morris	Ward
Beers	Ferguson	Kinney	Noble	Wart
Benedict	Fiero	Kirkland	Preston	Whipple
Boardman	Freeman	Legg	Randall	White
Brust	Gleason	Lozier	Rose	Whitman
Burgess	Gott	Magnire	Rowland	Wilson
Chesebro	Harpur	Mallory	Scott	Wilder
Cook	Hinkley	Martha	Seeley	J. E. Willis
Collins	Hollenbeck	Mather	Sheeley	Williams
Cost	Howell	Mills	Suffern	Winne
Crocheron	Hull	L. Miller	Thompson	J. S. Wood
Cushman				

61

Mr. Mallory moved a reconsideration of the vote just taken:

Mr. Ward moved that said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative.

Mr. Littlejohn, from the select committee to which was referred the bill entitled "An act to amend section 2, title 6, chapter 5, part 1st of the Revised Statutes," to report complete, forthwith, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

The Senate bill entitled "An act for the improvement of Racket river, and the tributaries thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 86 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cumming	Mos. Hutchinson	Nelson	Suffern
Baker	Cushman	Jenkins	Noble	Thompson
S. Baldwin	Dawson	Joy	Peters	Thorn
Barrow	A. A. Dunlop	Kinney	Preston	Underwood
Baucus	R. Dunlap	Kirkland	Randall	Ward
Beers	Ferguson	Legg	Robertson	Ware
Benedict	Fiero	Leigh	Savage	Wart
Bergen	Freeman	Littlejohn	Searing	Whipple
Boardman	Germain	Lozier	Sessions	White
Boyd	Gleason	Maguire	Seeley	Whitman
Burgess	Gott	Mallory	Sharp	Wilson
Burnett	Hall	Mather	Sheeley	Wilder
Case	Harpur	May	Sill	D. Willis
Chesebro	Harris	McGraw	Smalley	Williams
Clinton	Hatch	McMurray	Speaker	Winne
Cook	Hinkley	L. Miller	Stephens	D. P. Wood
Collins	Holdridge	Mitchell	Sterling	W. H. Wood
Coakling				

86

Those who voted in the negative are,

Mill	Rowland	2
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Speaker presented a communication from the rector, church wardens and vestrymen of Trinity church, in the city of New-York, in answer to a resolution of the Assembly, passed March 14, 1854, in relation to the condition of estate of said society.

Mr. Lozier offered for the consideration of the House, the following resolution, to wit :

Resolved, That 15 extra copies of the report of the officers of Trinity church, in answer to a resolution of this House, be printed for the use of each member.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Leigh moved to reconsider the vote taken yesterday upon the bill entitled "An act to reduce the fees of the city counsel and for opening and widening streets in the city of New-York."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Leigh, and it was determined in the affirmative, as follows :

{ AYES 23 }
{ NOES 54 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Kinney	Mills	Searing
R. J. Baldwin	Cost	Legg	Noble	Sessions
Barrow	Dewey	Leigh	Roe	Sill
Barton	Harris	Littlefield	Savage	Suffern
Burnett	Joy	Littlejohn		

28

Those who voted in the negative are,

Baker	Orocheron	Maguire	Richards	Wart
S. Baldwin	Cumming	Mather	Rowland	Whipple
Bancus	Dawson	May	Seeley	White
Benedict	A. A. Dunlop	McMurray	Sheeley	Whitman
Boardman	R. Dunlap	Mitchell	Smalley	Wilson
Brust	Ferguson	Morris	Speaker	Wilder
Burgess	Germain	Nelson	Stephens	J. E. Willis
Chesebro	Gleason	Odell	Sterling	Winne
Clinton	Harpur	Payne	Thompson	D. P. Wood
Collins	Hinkley	Peters	Thorn	W. H. Wood
Conkling	Lozier	Preston	Ward	

The bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes, passed April 30, 1836,' and passed April 8, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NGES 00 }

Those who voted in the affirmative are,

Angie	Cook	Harris	Mitchell	Stephens
Baker	Collins	Hinkley	Morris	Suffern
R. J. Baldwin	Conkling	Holdridge	Noble	Thompson
S. Baldwin	Crocheron	Jenkins	Odell	Thorn
Barrow	Cumming	Kinney	Peters	Underwood
Barton	Cushman	Kirkland	Preston	Ward
Bancus	Dawson	Legg	Robertson	Ware
Beers	A. A. Dunlop	Leigh	Rowland	Wart
Benedict	R. Dunlap	Littlefield	Savage	Weed
Bennett	Ferguson	Littlejohn	Searing	Whipple
Bergen	Fiero	Lozier	Sessions	White
Boardman	Freeman	Mallory	Seeley	Whitman
Brust	Germain	Martin	Sharp	Wilson
Burgess	Gleason	Mather	Sheeley	Wilder
Burnett	Gorham	May	Sill	Winne
Case	Hall	McGraw	Smalley	D. P. Wood
Clinton	Harpur	McMurray	Speaker	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Joy moved to take from the table the motion to reconsider the bill entitled "An act to authorise the formation of companies to navigate the lakes, rivers and canals."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Joy, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 56 }
{ NOES 49 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Conkling	Joy	L. Miller	Smalley
Backus	Cumming	Leigh	Mitchell	Speaker
S. Baldwin	Dewey	Littlefield	Noble	Stephens
Barrow	R. Dunlop	Littlejohn	Odell	Sterling
Barton	Germain	Lozier	Payne	Suffern
Baucus	Gibbs	Mallory	Peters	Thorn
Benedict	Gerham	May	Robertson	Ward
Bergen	Harris	McGraw	Rose	Ware
Boardman	Holdridge	McMurray	Savage	Weed
Boyd	Hull	Mills	Sessions	D. P. Wood
Cass	Jenkins	G. Miller	Sill	W. H. Wood
Clinton				

56

Those who voted in the negative are,

Angle	Coat	Harpur	Morris	Underwood
Baker	Crocheron	Hatch	Preston	Wart
R. J. Baldwin	Cushman	Hinkley	Randall	Whipple
Bennett	Dawson	Howell	Richards	White
Burst	A. A. Dunlop	Kinney	Rowland	Whitman
Burgess	Ferguson	Kirkland	Scott	Wilson
Burnett	Fiero	Legg	Searing	Wilder
Cheesbro	Freeman	Maguire	Steeley	J. E. Willis
Cook	Gibson	Martin	Sheeley	Winne
Collins	Gott	Mather	Thompson	

49

On motion of Mr. Moseley Hutchinson,

Leave of absence was granted to Mr. Townsend until Tuesday

On motion of Mr. Odell,

Leave of absence was granted to Mr. Palmer for two days.

Mr. Bergen, on his own motion, was granted leave of absence for to-morrow.

Mr. Peters, on his own motion, was granted leave of absence for fifteen days.

Mr. Sterling, on his own motion, was granted leave of absence for three days.

On motion of Mr. Sessions,

At six o'clock p. m., the House adjourned.

SATURDAY, APRIL 1, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Schmitt.

The minutes of yesterday were read and approved.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Hoosic Falls,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	Morris	Thompson
Altken	Crocheron	Mos. Hutchinson	Nelson	Thorn
Bailey	Cumming	Jenkins	Odell	Underwood
Backus	Cushman	Kinney	Payne	Ward
S. Baldwin	Dawson	Kirkland	Peters	Ware
Barton	Dewey	Legg	Preston	Wart
Beers	R. Dunlap	Leigh	Richards	Whipple
Benedict	Ferguson	Littlefield	Searing	White
Bennett	Fiero	Littlejohn	Sessions	Whitman
Boardman	Germain	Lozier	Seeley	Wilson
Brust	Gibbs	Maguire	Sharp	Wilder
Burgess	Gleason	Mallory	Sill	D. Willis
Burnett	Gott	Mather	Smalley	J. E. Willis
Cass	Hall	McGraw	Speaker	Williams
Chesbro	Harpur	McMurray	Stephens	Winne
Clinton	Harris	Mills	Sterling	D. P. Wood
Cook	Hatch	S. F. Miller	Sniffen	W. H. Wood
Collins	Hinkley	Mitchell		88

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorising the Canal Board to examine the claim of Geo. W. Willard for damages caused by the construction of the Genesee Valley canal, and award him payment therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cook	Mos. Hutchinson	Noble	Ward
Altken	Collins	Jenkins	Odell	Ware
Bailey	Cumming	Kinney	Randall	Wart
Backus	Dewey	Kirkland	Richards	Weed
S. Baldwin	R. Dunlap	Legg	Savage	White
Barton	Ferguson	Leigh	Scott	Whitman
Beers	Freeman	Littlefield	Searing	Wilson
Benedict	Gibbs	Lozier	Seeley	Wilder
Bennett	Gott	Mather	Sharp	D. Willis
Boardman	Graham	May	Shoeley	J. E. Willis
Brust	Harpur	McMurray	Smalley	Williams
Burgess	Harris	Mills	Speaker	Winne
Burnett	Hatch	L. Miller	Sniffen	D. P. Wood
Cass	Hinkley	Mitchell	Thompson	J. S. Wood
Chesbro	Holdridge	Morris	Thorn	W. H. Wood
Clinton	Howell	Nelson	Underwood	79

Those who voted in the negative are,

Conkling

Peters

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act for the construction of a work-house in the county of Monroe,' passed May 27, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Leigh	Randall	Thorn
Bailey	Dawson	Littlefield	Richards	Underwood
Baker	A. A. Dunlop	Littlejohn	Rose	Ward
Backus	R. Dunlap	Maguire	Savage	Ware
S. Baldwin	Fiero	Mallory	Scott	Wart
Barton	Freeman	Mather	Sessions	Wood
Beers	Germain	May	Seeley	White
Benedict	Gibbs	McGraw	Sharp	Whitman
Bennett	Gleason	McMurray	Shoeley	Wilder
Boardman	Gott	Mills	Sill	D. Willis
Brust	Graham	L. Miller	Smalley	J. E. Willis
Burgess	Harpur	Mitchell	Speaker	Williams
Cass	Hatch	Morris	Stephens	Winne
Chesebro	Hinkley	Noble	Sterling	D. P. Wood
Cook	Hinkins	Payne	Suffern	J. S. Wood
Conkling	Kinney	Peters	Thompson	W. H. Wood
Crocheron				

81

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act for the relief of Moses W. Lester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 72 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Dewey	Leigh	Peters	Suffern
Bailey	A. A. Dunlop	Littlefield	Preston	Underwood
Backus	R. Dunlap	Losler	Randall	Ward
S. Baldwin	Ferguson	Maguire	Richards	Ware
Barrow	Germain	Mallory	Richardson	Wood
Barton	Gibbs	Mather	Savage	White

Beers	Gleason	May	Searing	Wilson
Benedict	Gott	Mills	Sessions	Wilder
Burgess	Graham	L. Miller	Sealey	D. Willis
Case	Hall	Mitchell	Sharp	J. E. Willis
Cook	Harpur	Morris	Shesley	Williams
Conkling	Hinkley	Noble	Smalley	Winne
Crocheron	Holdridge	Odell	Speaker	D. P. Wood
Cumming	Jenkins	Payne	Stephens	J. S. Wood
Cushman	Kinney			

72

Those who voted in the negative are,

B. J. Baldwin	Chesebro	Freeman	Legg	McGraw
Boardman				

6

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise the city of Brooklyn to borrow money to erect an armory in said city," coming up for its third reading.

On motion of Mr. Backus, and by unanimous consent,

Said bill was amended as follows :

§ 4. When the contemplated armory building shall have been completed, all arms and military except gunpowder, belonging to the State of New-York, in charge of the uniformed militia, within the city of Brooklyn, shall be deposited in the said armory, under the direction and regulation of the brigadier general of the 5th brigade, and during the completion of said armory, said arms and stores shall be deposited in such secure place as the said general shall direct.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cook	Mag. Hutchinson	Peters	Thorn
Backus	Conkling	Jenkins	Randall	Underwood
R. J. Baldwin	Cushman	Kinney	Richards	Ward
S. Baldwin	Dawson	Legg	Robertson	Ware
Barrow	A. A. Dunlop	Littlefield	Rowland	Wart
Barton	R. Dunlap	Maguire	Savage	Weed
Beers	Freeman	Mallory	Scott	White
Benedict	Germain	Mather	Searing	Whitman
Bennett	Gibbs	May	Sealey	Wilson
Bergen	Gorham	McGraw	Sharp	Wilder
Boardman	Gott	L. Miller	SM	J. E. Willis
Boyd	Graham	Mitchell	Speaker	Winne
Brist	Harpur	Morris	Stephens	D. P. Wood
Burgess	Hatch	Noble	Sterling	J. S. Wood
Case	Hinkley	Odell	Suffern	W. M. Wood
Chesebro	Hollenbeck	Payne		

78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act for the appraisement of the damages of Talcott and Hall, and Garrison, in consequence of the loss of a canal boat," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 74 }
{ NOES 09 }

Those who voted in the affirmative are.

Angle	Cumming	Mos. Hutchinson	Noble	Stephens
Bailey	Dewey	Jenkins	Preston	Thorn
Backus	A. A. Dunlop	Kinney	Randall	Underwood
E. J. Baldwin	R. Dunlap	Kirkland	Richards	Ward
S. Baldwin	Ferguson	Leigh	Richardson	Ware
Barrow	Germain	Littlefield	Robertson	Wart
Barton	Gibbs	Littlejohn	Rowland	White
Benedict	Gleason	Mather	Savage	Wilson
Boardman	Gorham	May	Scott	Wilder
Brust	Gott	McMurray	Searing	D. Willis
Burgess	Graham	Mills	Seeley	J. E. Willis
Case	Harpur	L. Miller	Sharp	Winn
Clinton	Harris	Mitchell	Sheeley	D. P. Wood
Cook	Hinkley	Morris	Sill	J. S. Wood
Crocheron	Holdridge	Nelson	Speaker	74

Those who voted in the negative are,

Bennett	Legg	Peters	Weed	Whitman
Conkling	Mallory	Suffern	Whipple	9

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to designate the State paper," coming up for its third reading

On motion of Mr. Benedict,

Said bill was referred to a select committee, with instructions to amend the same.

Mr. Speaker announced as such select committee, Messrs. Benedict, Mallory, Weed, Joy and Gibbs.

The bill entitled "An act for the relief of Leonard Lewis," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 94 }
{ NOES 01 }

Those who voted in the affirmative, are

Angle	Cook	Holdridge	L. Miller	Sterling
Bailey	Collins	Hall	Mitchell	Suffern

Backus	Conkling	Mos Hutchinson	Morris	Thorn
R. J. Baldwin	Cost	Jenkins	Noble	Underwood
S. Baldwin	Crocheron	Joy	Odell	Ward
Barrow	Cumming	Kinney	Payne	Ware
Barton	Cushman	Kirkland	Peters	Wart
Beers	Dewey	Legg	Preston	Weed
Benedict	A. A. Dunlop	Leigh	Richards	White
Bennett	R. Dunlap	Littlefield	Robertson	Whitmas
Bergen	Freeman	Littlejohn	Rowland	Wilson
Boardman	Germain	Losier	Savage	D. Willis
Boyd	Gleason	Mallory	Scott	J. E. Willis
Brust	Gorham	Mather	Searing	Williams
Burgess	Gott	May	Seeley	Winne
Burnett	Graham	McGraw	Sharp	D. P. Wood
Case	Harpur	McMurray	Sill	J. S. Wood
Chesebro	Hatch	Mills	Smalley	W. H. Wood
Clinton	Hinkley	G. Miller	Speaker	

94

For the negative,

Dawson

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Littlejohn, from the committee on canals, to which was re-committed the bill entitled "An act making appropriations for the canal debt, and for the maintenance, enlargement and construction of the canals for the fiscal year, commencing Oct. 1, 1854," to report forthwith, complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Littlejohn,

Two-thirds voting in favor of a suspension of the rule, for that purpose, said bill by unanimous consent, was ordered engrossed for a third reading.

The bill entitled "An act to authorize any town in the counties of Erie and Cattaraugus to subscribe to the capital stock of the Buffalo and Pittsburgh railroad company, and to issue bonds in payment therefor," coming up for its third reading.

Mr. Hatch moved to recommit the same, with instructions to amend by striking out the county of "Erie."

Mr. Peters moved to amend by referring said bill to a select committee consisting of the delegations of Erie and Cattaraugus, for amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act to designate the State paper," to report forthwith, complete, reported the same complete with amendment, and recommended its passage.

The Senate bill entitled "An act to amend section 2, title 6, chapter 5, part 1st of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

} AYES 75 }
} NOES 10 }

Those who voted in the affirmative, are,

Angle	Cook	Hatch	G. Miller	Speaker
Bailey	Conkling	Holdridge	L. Miller	Stephens
R. J. Baldwin	Crocheron	Hull	Mitchell	Sterling
S. Baldwin	Cumming	Mos. Hutchinson	Morris	Suffern
Barton	Cushman	Jenkins	Palmer	Thorn
Beers	Dewey	Kinney	Payne	Underwood
Benedict	A. A. Dunlop	Kirkland	Peters	Ward
Bennett	R. Dunlap	Littlefield	Preston	Ware
Boardman	Germain	Littlejohn	Richards	Weed
Boyd	Gibbs	Lowler	Robertson	Wilson
Brust	Gleason	Maguire	Savage	Wilder
Burgess	Gorham	Mallery	Scott	D. Willis
Burnett	Gott	May	Seeley	J. E. Willis
Case	Graham	McGraw	Sill	Winne
Chesebro	Harris	McMurray	Smalley	D. P. Wood 75

Those who voted in the negative are,

Clinton	Dawson	Legg	Whitman	J. S. Wood
Collins	Joy	White	Williams	W. H. Wood 10

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendment.

The bill entitled "An act for the better regulation of firemen in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

} AYES 73 }
} NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Littlefield	Richards	Thompson
Bailey	Crocheron	Littlejohn	Robertson	Thorn
R. J. Baldwin	Cumming	Mallery	Rowland	Underwood
S. Baldwin	Cushman	Mather	Savage	Ward
Barrow	Dewey	May	Scott	Weed
Barton	A. A. Dunlop	McGraw	Seaton	White
Beers	R. Dunlap	McMurray	Seeley	Whitman
Benedict	Germain	Mills	Sharp	Wilder
Bennett	Gibbs	L. Miller	Sill	D. Willis
Boardman	Graham	Mitchell	Smalley	J. E. Willis
Boyd	Harpur	Morris	Speaker	Winne
Brust	Mos. Hutchinson	Odell	Stephens	D. P. Wood
Burnett	Jenkins	Palmer	Sterling	J. S. Wood
Case	Kinney	Payne	Suffern	W. H. Wood 73
Cook	Kirkland	Preston		

For the negative,

Collins

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the police justices in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Mos. Hutchinson	Speaker
Bailey	Dawson	Jenkins	Stephens
S. Baldwin	Dewey	Kinney	Sterling
Barrow	A. A. Dunlop	Kirkland	Suffern
Barton	R. Dunlap	Legg	Thorn
Beers	Freeman	Leigh	Underwood
Benedict	Germain	Littlefield	Ward
Bennett	Gibbs	Littlejohn	Ware
Boardman	Gleason	Lozier	Wart
Boyd	Gorham	Maguire	Weed
Brust	Gott	Mallory	White
Burgess	Graham	Mather	Whitman
Case	Harpur	May	Wilson
Chesebro	Harris	McGraw	Wilder
Cook	Hatch	Mills	D. Willis
Collins	Hinkley	G. Miller	J. E. Willis
Conkling	Holdridge	L. Miller	Winne
Crocheron	Hull	Mitchell	W. H. Wood
Cumming		Smalley	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, to the bill entitled as follows :

"An act to authorise the city of Brooklyn to borrow money to erect an armory."

The bill entitled "An act authorising the laying out, opening and constructing a road from Carmel village to Brewster's station, in the county of Putnam," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	A. A. Dunlop	Kirkland	Richards	Thorn
Bailey	R. Dunlap	Leigh	Robertson	Underwood
S. Baldwin	Germain	Littlefield	Rowland	Ward
Barton	Gibbs	Littlejohn	Savage	Ware
Beers	Gleason	Magnire	Scott	Weed
Benedict	Gorham	Mallory	Searing	White
Boardman	Gott	Mather	Sessions	Whitman
Burgess	Graham	McGraw	Seeley	Wilson
Burnett	Harpur	McMurray	Sharp	Wilder
Chesebro	Harris	G. Miller	Sheeley	D. Willis
Cook	Hatch	L. Miller	Sill	J. E. Willis
Conkling	Hinkley	Mitchell	Smalley	Williams
Crocheron	Holdridge	Noble	Speaker	Winn
Cumming	Hull	Palmer	Stephens	D. P. Wood
Cushman	Jenkins	Preston	Suffern	W. H. Wood
Dawson	Kinney			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend several acts in relation to the common schools in the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Mos. Hutchinson	Palmer	Stephens
E. J. Baldwin	Crocheron	Jenkins	Payne	Suffern
S. Baldwin	Cumming	Kinney	Peters	Thorn
Barrow	Cushman	Kirkland	Preston	Underwood
Barton	Dawson	Legg	Randall	Ward
Beers	A. A. Dunlop	Leigh	Richards	Ware
Benedict	R. Dunlap	Littlejohn	Robertson	Weed
Bennett	Germain	Lozier	Rowland	Whipple
Boardman	Gleason	Mallory	Savage	White
Boyd	Gorham	May	Scott	Wilson
Brust	Gott	McGraw	Searing	Wilder
Burgess	Graham	Mills	Sessions	D. Willis
Burnett	Harpur	G. Miller	Seeley	J. E. Willis
Case	Harris	L. Miller	Sharp	Williams
Chesebro	Hatch	Mitchell	Sill	Winn
Cook	Hinkley	Noble	Smalley	D. P. Wood
Collins	Hull	Odell	Speaker	W. H. Wood

86

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Poughkeepsie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Anglo	Conkling	Kirkland	Preston	Suffern
Bailey	Crocherson	Legg	Randall	Thorn
S. Baldwin	Cumming	Leigh	Richards	Underwood
Barrow	Dawson	Littlejohn	Robertson	Ward
Barton	A. A. Dunlop	Lozier	Rowland	Ware
Beers	R. Dunlap	Magnire	Savage	Wart
Benedict	Freeman	Mallory	Scott	Weed
Bennett	Germain	May	Searing	White
Boardman	Gorham	McGraw	Seeley	Whitman
Boyd	Gott	McMurray	Seeley	Wilson
Brust	Harpur	Mills	Sharp	D. Willis
Burgess	Hatch	L. Miller	Sill	J. E. Willis
Burnett	Hinkley	Mitchell	Smalley	Williams
Case	Hull	Noble	Speaker	Winne
Chesbro	Mos. Hutchinson	Odell	Stephens	D. P. Wood
Clinton	Jenkins	Palmer	Sterling	W. H. Wood
Cook	Kinney	Peters		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of John C. Van Alstine," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 64 }
{ NOES 24 }

Those who voted in the affirmative are,

Anglo	Gibbs	Littlejohn	Palmer	Stephens
Bailey	Gleason	Lozier	Preston	Thompson
R. J. Baldwin	Gorham	Maguire	Randall	Thorn
S. Baldwin	Gott	Mather	Robertson	Ward
Barrow	Harpur	May	Rowland	Wart
Barton	Harris	McMurray	Savage	White
Boyd	Holdridge	Mills	Scott	Wilson
Burgess	Hull	G. Miller	Searing	Wilder
Case	Mos. Hutchinson	L. Miller	Sessions	D. Willis
Clinton	Jenkins	Mitchell	Seeley	J. E. Willis
Cook	Kinney	Morris	Sharp	Williams
A. A. Dunlop	Kirkland	Noble	Shaeley	D. P. Wood
R. Dunlap	Leigh	Odell	Sill	

64

Those who voted in the negative are,

Boers	Chesbro	Dewey	Littlefield	Suffern
Benedict	Gollins	Freeman	Mallory	Weed
Burnett	Conkling	Germain	McGraw	Whitman
Boardman	Crocherson	Graham	Peters	Winne
Burnett	Dawson	Legg	Speaker	

24

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. McGraw,

Two-thirds of all elected, voting in favor of a suspension of the rule for that purpose,

Resolved, That on and after Monday next, this House have three sessions each day; the morning session to commence at 9 o'clock, a. m., and continue until 1½ o'clock p. m.; the afternoon session to commence at 3½ p. m., and continue until 5½ p. m.; the evening session to commence at 7 p. m.; but there shall be no p. m. or evening session on Saturdays.

On motion of Mr. Ward,

The time for adjournment was extended 30 minutes.

The bill entitled "An act to loan money to the trustees of Oxford academy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Kinney	Noble	Speaker
Balby	Cushman	Kirkland	Odell	Stephens
B. J. Baldwin	Dewey	Legg	Palmer	Sterling
S. Baldwin	A. A. Dunlop	Leigh	Preston	Suffern
Barrow	R. Dunlap	Littlefield	Randall	Thorn
Barton	Edwards	Littlejohn	Richards	Underwood
Beers	Freeman	Lozier	Robertson	Ward
Benedict	Germain	Maguire	Rowland	Ware
Bennett	Gleason	Mather	Savage	Weed
Boardman	Gorham	May	Scott	White
Boyd	Gott	McGraw	Searing	Whitman
Brust	Graham	McMurray	Sessions	Wilson
Burnett	Hall	Mills	Seeley	Wilder
Cass	Harris	G. Miller	Sharp	J. E. Willis
Clinton	Hinkley	L. Miller	Sheeley	Winne
Cook	Holdridge	Mitchell	Sill	D. P. Wood
Collins	Hull	Morris	Smalley	J. S. Wood
Crocheron	Mos. Hutchinson			

87

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to designate the State paper," coming up for its third reading.

Mr. Angle moved to recommit, with instructions to amend so as to require the proprietors of the paper designated as the State paper, to contract to do the publishing in such paper on the same terms on which it is at present done, and strike out the provisions in the bill providing for fees.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Angle, and it was determined in the negative, as follows:

{ AYES 40 }
{ NOES 53 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Dawson	L. Miller	Sharp	White
S. Baldwin	R. Dunlop	Noble	Sheeley	Whitman
Barton	Hinkley	Preston	Sill	Wilson
Boardman	Joy	Randall	Sterling	Wilder
Burgess	Legg	Richards	Suffern	D. Willis
Clinton	Magnire	Rowland	Thorn	Williams
Collins	Mather	Savage	Ware	J. S. Wood
Cushman	Mills	Seeley	Wart	W. H. Wood 40

Those who voted in the negative are,

Bailey	Crocheron	Harris	May	Searing
E. J. Baldwin	Cumming	Hatch	McGraw	Sessions
Beers	Dewey	Hull	McMurray	Speaker
Benedict	A. A. Dunlop	Mos. Hutchinson	Mitchell	Stephens
Bennett	Freeman	Jenkins	Morris	Underwood
Brust	Germain	Kinney	Odell	Ward
Burnett	Gibbs	Kirkland	Palmer	Weed
Case	Gorham	Littlefield	Peters	J. E. Willis
Chesbro	Gott	Littlejohn	Robertson	Winne
Cook	Graham	Lozier	Scott	D. P. Wood 53
Conkling	Harpur	Mallory		

Mr. Ward moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 66 }
{ NOES 30 }

Those who voted in the affirmative are,

Bailey	Cook	Harris	McGraw	Searing
E. J. Baldwin	Conkling	Hatch	McMurray	Sessions
S. Baldwin	Crocheron	Hinkley	G. Miller	Seeley
Barrow	Cumming	Hull	L. Miller	Speaker
Barton	Dewey	Mos. Hutchinson	Mitchell	Stephens
Beers	A. A. Dunlop	Jenkins	Morris	Thorn
Benedict	Freeman	Kinney	Noble	Underwood
Bennett	Germain	Kirkland	Palmer	Ward
Boardman	Gibbs	Littlefield	Peters	Weed
Boyd	Gorham	Littlejohn	Preston	D. Willis
Burgess	Gott	Lozier	Robertson	J. E. Willis
Burnett	Graham	Mallory	Savage	Winne
Case	Harpur	May	Scott	D. P. Wood 66
Chesbro				

Those who voted in the negative are,

Angle	R. Dunlap	Mills	Sheeley	Whitman
Brust	Joy	Payne	Sill	Wilson
Clinton	Legg	Randall	Sterling	Wilder
Collins	Leigh	Richards	Suffern	Williams
Cushman	Maguire	Rowland	Ware	J. S. Wood
Dawson	Mather	Sharp	White	W. H. Wood 39

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations to provide for deficiencies existing in appropriations for the present fiscal year, to meet claims and demands against the treasury, on account of the canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly therefor, as follows :

{ AYES 79 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Hull	Mills	Speaker
Bailey	Crocheron	Moe. Hutchinson	G. Miller	Suffern
R. J. Baldwin	Cumming	Jenkins	Mitchell	Thorn
S. Baldwin	Cushman	Joy	Morris	Ward
Barrow	Dawson	Kinney	Noble	Wart
Baens	A. A. Dunlop	Kirkland	Peters	Weed
Bears	R. Dunlap	Legg	Preston	White
Benedict	Freeman	Leigh	Richards	Wilson
Bennett	Germain	Littlejohn	Robertson	Wilder
Boardman	Gibbs	Lozier	Rowland	D. Willis
Boyd	Gorham	Maguire	Scott	J. E. Willis
Burgess	Gott	Mallery	Searing	Williams
Burnett	Harpur	Mather	Sharp	D. P. Wood
Case	Harris	May	Sheeley	J. S. Wood
Chesbro	Hinkley	McGraw	Sill	W. H. Wood 79
Clinton	Holdridge	McMurray	Smalley	

For the negative,

Seeley

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. A. A. Dunlop,

At fifteen minutes to two o'clock p. m., the House adjourned.

MONDAY, APRIL 3, 1854.

The House met pursuant to adjournment.

The minutes of Saturday, were read and approved.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to repeal chapter 202 and 459, of the Session Laws of 1853, in relation to the Dutchess turnpike company."

The bill entitled "An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same," coming up for its third reading.

Mr. Peters moved to recommit the same, with instructions to amend.

Mr. Conkling moved to add to the instructions the following amendment to title XI.:

§ 17. Nothing in this act contained shall be taken or construed to destroy, abridge or in any manner impair or hinder any rights, privileges, jurisdiction or franchises of the mayor, aldermen and commonalty of the city of New-York, in respect to the land between the lines of high and low water along the Brooklyn shore of the East river; nor shall this act authorise any dock or wharf, or bulkhead to be erected upon any of the lands belonging to the State or city of New-York, without the permission of the Legislature of the State or of the common council of said city first had and obtained.

Mr Ware moved to add to the instructions, to amend section 16, title III., as follows:

And by consent of the common council, may appoint a deputy commissioner of repairs and supplies, and a foreman of repairs, for whose acts he shall be responsible in all cases where the expenses to be incurred by him shall exceed \$100; he shall receive estimates or proposals, and shall give the contracts to the lowest bidder.

Also to amend section 14, of title III., so as to conform to the above in reference to the street commissioner.

On motion of Mr. Peters,

Said bill was laid on the table.

The bill entitled "An act to incorporate the Albany dimesavings bank, in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Cushman	Holdridge	Mitchell	Thorn
Bailey	Dawson	Hollenbeck	Odell	Underwood
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Palmer	Ward
Barrow	B. Dunlap	Jenkins	Peters	Ware
Barton	Edwards	Kloney	Preston	Wart
Beers	Fiero	Kirkland	Robertson	Weed
Benedict	Freeman	Legg	Rowland	White
Bennett	Germain	Littlefield	Searing	Whitman
Boardman	Gleason	Lozier	Seely	Wilson
Brust	Gorham	Mather	Sheeley	D. Willis
Burgess	Harpur	May	Speaker	J. E. Willis
Case	Harris	McGraw	Stephens	J. S. Wood
Cook	Hatch	L. Miller	Suffern	W. H. Wood
Conkling	Hinkley	S. F. Miller		

68

Those who voted in the negative are,

R. J. Baldwin Collins Randall

3

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the tare on raw cotton and hops, sold in bales," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Collins	Hatch	L. Miller	Speaker
Bailey	Conkling	Hinkley	S. F. Miller	Stephens
R. J. Baldwin	Cushman	Holdridge	Mitchell	Suffern
S. Baldwin	Dawson	Mos. Hutchinson	Noble	Thorn
Barrow	A. A. Dunlop	Jenkins	Odell	Underwood
Barton	Edwards	Kinney	Palmer	Ward
Beers	Fiero	Kirkland	Peters	Ware
Benedict	Freeman	Legg	Preston	Wart
Bennett	Germain	Littlefield	Randall	Weed
Bergen	Gibbs	Littlejohn	Robertson	Wilson
Boyd	Gleason	Mather	Rowland	D. Willis
Burgess	Gorham	May	Searing	J. S. Wood
Case	Harpur	McGraw	Sessions	W. H. Wood
Cook	Harris	Mills	Seely	

69

Those who voted in the negative are,

Clinton R. Dunlap White Whitman

4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. R. J. Baldwin moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. J. Baldwin, and it was determined in the negative.

{ AYES 29 }
{ NOES 37 }

The ayes and noes being called for, by ten members,
Those who voted in the affirmative, are,

Angle	Collins	Hollenbeck	L. Miller	Sharp
Beers	Conkling	Mos. Hutchinson	S. F. Miller	Suffern
Bennett	Cushman	Kirkland	Rowland	Ware
Boardman	R. Dunlap	Legg	Scott	White
Burgess	Gibbs	Littlefield	Seamons	Whitman
Clinton	Holdridge	Lozier	Sealey	

29

Those who voted in the negative are,

Bailey	Fiero	Mather	Payne	Underwood
M. Baldwin	Freeman	May	Peters	Ward
Barrow	Graham	McGraw	Preston	Wart
Barton	Harpur	Mitchell	Randall	Weed
Beaucus	Harris	Noble	Robertson	Wilson
Benedict	Hatch	Odell	Sheeley	D. Willis
Brust	Kinney	Palmer	Thorn	J. E. Willis
A. A. Dunlop	Littlejohn			

37

Mr. Speaker presented a communication from the Attorney General, giving his opinion in the matter to what extent the Legislature has power to establish ferries between the Canadas and this State, and if such power was conferred upon the city of Buffalo, within its limits, by an act passed April 13, 1853, which was read and laid on the table.

The Senate bill entitled "An act to settle the boundary line between Niram Sackett and the lands of the Seneca nation of Indians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 66 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	A. A. Dunlop	Jenkins	Mitchell	Speaker
Bailey	R. Dunlap	Kinney	Odell	Suffern
R. J. Baldwin	Edwards	Legg	Palmer	Thorn
S. Baldwin	Freeman	Littlefield	Payne	Ward
Barton	Germain	Littlejohn	Peters	Ware
Beers	Gibbs	Lozier	Preston	Wart
Benedict	Gorham	Martin	Robertson	Weed
Bennett	Graham	Mather	Rowland	White
Brust	Harpur	May	Scott	Whitman
Burgess	Harris	McGraw	Searing	Wilson
Case	Hinkley	Mills	Seamons	D. Willis
Cook	Hollenbeck	L. Miller	Sealey	J. S. Wood
Conkling	Mos. Hutchinson	S. F. Miller	Sheeley	W. H. Wood
Dawson				

66

Those who voted in the negative are,

Boardman	Collins	J. E. Willis
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3

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act declaring the west branch of St. Regis river a public highway, and for regulating the passage of logs and lumber down the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Dawson	Jenkins	Noble	Suffern
R. J. Baldwin	A. A. Dunlop	Kinney	Odell	Thorn
S. Baldwin	R. Dunlap	Kirkland	Palmer	Underwood
Barrow	Edwards	Legg	Peters	Ward
Barton	Fiero	Littlefield	Preston	Ware
Benedict	Freeman	Littlejohn	Robertson	Wart
Bennett	Germain	Lozier	Rowland	Weed
Brust	Gibbs	Mather	Searing	White
Burgess	Gleason	May	Sessions	Whitman
Case	Gorham	McGraw	Seeley	D. Willis
Clinton	Graham	Mills	Sharp	J. E. Willis
Cook	Harpur	L. Miller	Sheeley	Winne
Collins	Harris	S. F. Miller	Speaker	J. S. Wood
Conkling	Hinkley	Mitchell	Stephens	W. H. Wood
Cushman	Hollenbeck			

72

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of Harry Moore to Henry Moore Hyes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Kinney	Payne	Suffern
Bailey	Cushman	Kirkland	Peters	Thorn
S. Baldwin	Dawson	Legg	Preston	Underwood
Barrow	A. A. Dunlop	Littlefield	Randall	Ward
Barton	R. Dunlap	Littlejohn	Robertson	Wart
Beers	Edwards	Mather	Rowland	Weed
Benedict	Fiero	May	Scott	Whipple
Bennett	Freeman	McGraw	Searing	White
Bergen	Gibbs	G. Miller	Sessions	Whitman
Boardman	Gleason	L. Miller	Seeley	Wilson
Brust	Gorham	S. F. Miller	Sharp	Wilder
Burgess	Graham	Mitchell	Sheeley	D. Willis

Cass	Harpur	Noble	Smalley	J. E. Willis
Clinton	Harris	Odell	Speaker	J. S. Wood
Cook	Howell	Palmer	Stephens	W. H. Wood
Collins	Jenkins			

77

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to legalise the official acts of Warren H. Wright, as justice of the peace," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Collins	Hatch	Mitchell	Stephens
Bailey	Conkling	Hinkley	Noble	Suffern
S. Baldwin	Cushman	Hollenbeck	Odell	Thorn
Barrow	Dawson	Mos. Hutchinson	Palmer	Underwood
Barton	A. A. Dunlop	Kinney	Payne	Ward
Beers	R. Dunlap	Kirkland	Peters	Ware
Benedict	Edwards	Legg	Preston	Wart
Bergen	Fiero	Littlefield	Robertson	Weed
Boardman	Germain	Littlejohn	Scott	White
Boyd	Gibbs	Mather	Searing	Whitman
Brust	Gleason	May	Sessions	Wilson
Burgess	Gorham	McGraw	Seeley	D. Willis
Cass	Graham	G. Miller	Sharp	J. S. Wood
Clinton	Harpur	L. Miller	Sheeley	W. H. Wood
Cook	Harris	S. F. Miller	Speaker	

74

For the negative,

Losier

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to and reducing the several acts relating to the district courts in the city of New-York into one act," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Conkling	Hollenbeck	Nelson	Stephens
Bailey	Cushman	Mos Hutchinson	Noble	Thorn
Baker	Dawson	Jenkins	Odell	Ward
R. J. Baldwin	A. A. Dunlop	Kinney	Palmer	Ware
S. Baldwin	R. Dunlap	Kirkland	Peters	Wart
Barrow	Edwards	Legg	Preston	Weed

Barton	Fiero	Littlefield	Randall	Whipple
Beers	Freeman	Littlejohn	Richardson	White
Benedict	Germain	Lozier	Rowland	Whitman
Bennett	Gibbs	Mather	Scott	Wilson
Bergen	Gleason	May	Searing	D. Willis
Boardman	Gorham	McGraw	Sessions	J. E. Willis
Boyd	Graham	G. Miller	Seeley	Williams
Case	Harpur	S. F. Miller	Sheeley	J. S. Wood
Cook	Harris	Mitchell	Sill	W. H. Wood
Collins	Hatch	Morris		

78

Those who voted in the negative are,

Burgess	Clinton	Hinkley	Suffern	4
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Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the construction of a lateral canal in the county of Onondaga, at the expense of the owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Mos. Hutchinson	Nelson	Suffern
Bailey	Conkling	Jenkins	Noble	Thorn
Baker	Cushman	Kinney	Odell	Underwood
R. J. Baldwin	A. A. Dunlop	Kirkland	Payne	Ward
S. Baldwin	R. Dunlap	Legg	Peters	Ware
Barrow	Edwards	Littlefield	Preston	Wart
Barton	Fiero	Littlejohn	Robertson	White
Beers	Freeman	Mather	Rowland	Whitman
Benedict	Germain	May	Searing	Wilson
Bennett	Gibbs	McGraw	Sessions	D. Willis
Boardman	Gorham	Mills	Seeley	J. E. Willis
Boyd	Harpur	L. Miller	Sheeley	Williams
Brust	Harris	S. F. Miller	Sill	Winne
Burgess	Hatch	Mitchell	Smalley	J. S. Wood
Case	Hinkley	Morris	Stevens	W. H. Wood
Chesebro	Hollenbeck			

77

For the negative,

Collins	1
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the Flushing and New-town turnpike bridge and road company to reduce their rates of toll, and to purchase additional real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hatch	Nelson	Speaker
Aitken	Cook	Hinkley	Noble	Stephens
Bailey	Conkling	Holdridge	Odell	Sumner
Baker	Cushman	Mos. Hutchinson	Palmer	Thorn
R. J. Baldwin	A. A. Dunlop	Kirkland	Payne	Underwood
S. Baldwin	R. Dunlap	Legg	Peters	Ward
Barrow	Edwards	Littlefield	Robertson	Ware
Beers	Fiero	Littlejohn	Scott	Wood
Benedict	Freeman	May	Searing	Wilson
Bennett	Gibbs	McGraw	Sessions	D. Willis
Boardman	Gleason	McMurray	Seeley	J. E. Willis
Boyd	Gorham	Mills	Sharp	Williams
Burgess	Harpur	G. Miller	Sheeley	J. S. Wood
Cass	Harris	S. F. Miller	Sill	W. H. Wood 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act passed April 14, 1852, entitled 'An act further to amend' the act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Mos. Hutchinson	Palmer	Sumner
Bailey	Cook	Jenkins	Payne	Thorn
Baker	Collins	Kinney	Peters	Wade
R. J. Baldwin	Conkling	Kirkland	Preston	Ward
S. Baldwin	Cushman	Legg	Robertson	Ware
Barrow	A. A. Dunlop	Littlefield	Rose	Wood
Barton	R. Dunlap	Littlejohn	Scott	White
Beers	Fiero	May	Searing	Whitman
Benedict	Freeman	McGraw	Sessions	Wilson
Bennett	Germain	McMurray	Seeley	D. Willis
Bergen	Gleason	S. F. Miller	Sharp	J. E. Willis
Boardman	Graham	Mitchell	Sill	Williams
Brust	Harpur	Nelson	Speaker	J. S. Wood
Burgess	Hinkley	Noble	Stephens	W. H. Wood
Chesebro	Hollenbeck	Odell		

73

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the business in order, the special order, it being the election of two members of this House to serve on the joint committee to examine the Treasurer's accounts, &c.

Mr. Sessions moved that they be elected by ballot.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative.

On motion of Mr. Lozier,

Mr. Speaker was authorised to appoint two tellers.

Mr. Speaker announced the appointment of Messrs. Lozier and S. F. Miller.

Mr. S. F. Miller on his own motion, was excused from serving as teller.

Mr. Speaker appointed Mr. Morris in his stead.

Mr. Lozier from the tellers appointed to receive and canvass the votes given, reported the following as the result :

George W. Thorn, received 92 votes.

Leman Gibbs, " 69 "

S. F. Miller, " 20 "

St. Paul Seeley, " 4 "

W. H. Wood, " 3 "

R. J. Baldwin, " 2 "

Obadiah Stephens, " 2 "

George W. Thorn and Leman Gibbs having received the majority of all the votes cast, Mr. Speaker declared them elected.

The bill entitled "An act to amend the act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," coming up for its third reading.

On motion of Mr. Case,

Said bill was recommitted to a select committee to report forthwith.

Mr. Speaker announced as such select committee, Messrs. Case, Angle, Odell, Richards and Peters.

The Senate bill entitled "An act authorising highway labor to be expended on the Half Moon and Clifton Park plank road, in the county of Saratoga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 65 }
{ NOES 21 }

Those who voted in the affirmative are,

Bailey	Conkling	Hatch	L. Miller	Sharp
Barrow	Cushman	Hinkley	Morris	Sheeley
Barton	Dewey	Holdridge	Nelson	Sill
Benedict	R. Dunlap	Hollenbeck	Noble	Speaker
Bennett	Edwards	Jenkins	Odell	Stephens
Boardman	Fiero	Kirkland	Palmer	Thorn
Boyd	Freeman	Littlefield	Peters	Underwood
Burgess	Germain	Littlejohn	Preston	Weed
Case	Gibbs	Maguire	Robertson	White

Chesebro	Gleason	Mather	Rowland	Wilson
Clinton	Gorham	May	Scott	D. Willis
Cook	Harpur	McGraw	Searing	J. E. Willis
Collins	Harris	McMurray	Sessions	W. H. Wood 65

Those who voted in the negative are,

Aitken	Cumming	Kinney	Payne	Ware
Baker	Dawson	Legg	Seeley	Whipple
R. J. Baldwin	Graham	Mills	Suffern	Whitman
S. Baldwin	Mos. Hutchinson	Mitchell	Ward	J. S. Wood
Beers				

21

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend the charter of the village of Waddington, in the county of St. Lawrence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cushman	Mos. Hutchinson	S. F. Miller	Shesley
Bailey	Dawson	Jenkins	Mitchell	Shi
S. Baldwin	A. A. Dunlop	Kinney	Nelson	Speaker
Barton	R. Dunlap	Kirkland	Noble	Stephens
Bennett	Edwards	Legg	Odell	Thorn
Beers	Fiero	Leigh	Palmer	Underwood
Bergen	Freeman	Littlefield	Payne	Ward
Boardman	Germain	Littlejohn	Peters	Ware
Brust	Gibbs	Losier	Preston	Wart
Burnett	Gleason	Maguire	Robertson	Wood
Case	Gorham	May	Rowland	White
Chesebro	Harpur	McGraw	Scott	D. Willis
Clinton	Harris	McMurray	Searing	J. E. Willis
Cook	Hatch	Mills	Sessions	Williams
Collins	Holdridge	G. Miller	Seeley	J. S. Wood
Conkling	Hollenbeck	L. Miller	Sharp	W. H. Wood
Cumming				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise the city of Syracuse to fund its debt," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 53 }
 { NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hollenbeck	L. Miller	Sheeley
Bailey	Conkling	Mos. Hutchinson	S. F. Miller	Speaker
Baker	Cumming	Jenkins	Mitchell	Stephens
E. J. Baldwin	Cushman	Kinney	Morris	Sumner
S. Baldwin	Dawson	Kirkland	Nelson	Thorn
Barrow	A. A. Dunlop	Legg	Noble	Underwood
Barton	R. Dunlap	Leigh	Odell	Ward
Beers	Fiero	Littlefield	Palmer	Ware
Bennett	Freeman	Littlejohn	Payne	Weed
Boardman	German	Lozier	Peters	White
Boyd	Gibbs	Maguire	Robertson	Wilson
Brust	Graham	Mather	Rowland	D. Willis
Burnett	Harpur	May	Searing	J. E. Willis
Case	Harris	McGraw	Sessions	Williams
Chesebro	Hatch	McMurray	Sealey	J. S. Wood
Clinton	Hinkley	Mills	Sharp	W. H. Wood
Cook	Holdridge	G. Miller		

88

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act relative to the construction of railroads in cities."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to authorise the board of supervisors of the county of Suffolk to change the site of the court house and jail in said county, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
 { NOES 01 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	S. F. Miller	Sheeley
Aitken	Conkling	Holdridge	Mitchell	Sill
Baker	Cumming	Hollenbeck	Odell	Stephens
E. J. Baldwin	Dawson	Mos. Hutchinson	Palmer	Sumner
S. Baldwin	A. A. Dunlop	Jenkins	Payne	Thorn
Benedict	R. Dunlap	Kinney	Peters	Underwood
Beers	Edwards	Kirkland	Preston	Ward
Bergen	Fiero	Littlefield	Randall	Wart
Boardman	German	Littlejohn	Robertson	Weed
Boyd	Gibbs	Mather	Rowland	White
Brust	Gleason	May	Scott	Whitman
Burgess	Graham	McGraw	Searing	Wilson
Burnett		McMurray	Sessions	D. Willis

Chesebro
Clinton
Cook

Harpur
Harris
Hatch

Mills
L. Miller

Sealey
Sharp

J. E. Willis
J. S. Wood

77

For the negative,

Speaker

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the canal debt, and the maintenance, enlargement and construction of the canals for the fiscal year, commencing October 1, 1854," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hatch	Mills	Snell
Aitken	Conkling	Hinkley	L. Miller	Speaker
Baker	Cumming	Holdridge	Mitchell	Stephens
R. J. Baldwin	Cushman	Hollenbeck	Morris	Suffern
S. Baldwin	Dawson	Mos. Hutchinson	Nelson	Thorn
Barrow	A. A. Dunlop	Jenkins	Odell	Underwood
Beers	R. Dunlap	Kinney	Palmer	Ward
Benedict	Edwards	Kirkland	Payne	Ware
Bennett	Fiero	Legg	Peters	Weed
Bergen	Freeman	Littlefield	Preston	White
Boardman	Germain	Littlejohn	Robertson	Whitman
Boyd	Gibbs	Mallory	Rowland	Wilson
Burgess	Gleason	Magnire	Scott	D. Willis
Burnett	Gorham	Mather	Searing	J. E. Willis
Case	Graham	May	Sealey	J. S. Wood
Chesebro	Harpur	McGraw	Sharp	W. H. Wood
Clinton	Harris	McMurray	Sheeley	

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to incorporate the Merchants' and Publishers' advertising company of New-York."

On motion of Mr. Clinton, and by unanimous consent,

Said bill was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public printing, to report complete.

The bill entitled "An act to provide for the sale of the real estate and other property belonging to the poor fund of Cayuga county, and to abolish the office of superintendent of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	McMurray	Sheeley
Aitken	Cook	Hinkley	Mills	Sill
Bailey	Conkling	Holdridge	Mitchell	Speaker
Baker	Cumming	Hollenbeck	Nelson	Stephens
R. J. Baldwin	Cushman	Mos. Hutchinson	Noble	Sumner
Bennett	Dawson	Jenkins	Odell	Thorn
Benedict	Dewey	Kinney	Palmer	Ward
Beers	A. A. Dunlop	Kirkland	Payne	Wart
Bergen	R. Dunlap	Legg	Peters	White
Boardman	Edwards	Leigh	Preston	Whitman
Bostwick	Fiero	Littlefield	Robertson	Wilson
Boyd	Freeman	Littlejohn	Rowland	D. Willis
Brust	German	Lozier	Searing	J. E. Willis
Burgess	Gibbs	Mather	Sessions	Williams
Burnett	Graham	May	Seeley	J. S. Wood
Case	Harpur	McGraw	Sharp	W. H. Wood
Chesebro	Harris			82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act confirming the sale of certain school district property in district No. 5, in New Scotland and Bern," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hatch	Mills	Sill
Aitken	Clinton	Hinkley	Mitchell	Speaker
Bailey	Cook	Holdridge	Nelson	Stephens
Baker	Conkling	Kinney	Noble	Sumner
R. J. Baldwin	Cumming	Kirkland	Palmer	Thorn
S. Baldwin	Cushman	Legg	Payne	Underwood
Beers	Dawson	Leigh	Peters	Ward
Benedict	Dewey	Littlefield	Preston	Weed
Bennett	R. Dunlap	Littlejohn	Robertson	White
Bergen	Fiero	Lozier	Rowland	Whitman
Boardman	German	Maguire	Scott	Wilson
Boyd	Gleason	Mather	Searing	D. Willis
Brust	Gorham	May	Seeley	J. E. Willis
Burgess	Graham	McGraw	Sharp	J. S. Wood
Burnett	Harpur	McMurray	Sheeley	W. H. Wood
Case	Harris			77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the laying out and construction of a road from Dickinson Centre, south through townships Nos. 10, 13, 16, 19, 22 and 25, in the county of Franklin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Cook	Harris	McMurray	Sheeley
Aitken	Conkling	Hatch	Mitchell	Sill
Bailey	Cumming	Kinney	Morris	Speaker
Baker	Cushman	Holdridge	Nelson	Stephens
B. J. Baldwin	Dawson	Hollenbeck	Noble	Suffern
S. Baldwin	Dewey	Mos. Hutchinson	Odell	Thorn
Barrow	A. A. Dunlop	Jenkins	Palmer	Ward
Barton	R. Dunlap	Kinney	Payne	Ware
Bennett	Edwards	Kirkland	Preston	Wart
Benedict	Fiero	Legg	Richardson	Whipple
Boers	Freeman	Leigh	Robertson	White
Bergen	Germain	Littlefield	Rowland	Whitman
Boardman	Gibbs	Littlejohn	Scott	Wilson
Brust	Gleason	Maguire	Searing	J. E. Willis
Burgess	Gorham	Mather	Seeley	J. S. Wood
Chesbro	Graham	May	Sharp	W. H. Wood
Clinton	Harpur	McGraw		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act making appropriations for the support of the government, for the year commencing October first, one thousand eight hundred and fifty-four," coming up for its third reading,

On motion of Mr. Gleason, and by unanimous consent,

Said bill was amended by striking out the words "the county of Onondaga," and inserting in lieu thereof the words following: "Each of the counties in this State," in the section making appropriations for teachers' institutions.

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cook	Hall	May	Sheeley
Bailey	Collins	Harpur	McGraw	Snell
Baker	Conkling	Harris	L. Miller	Speaker
R. J. Baldwin	Crocheron	Hinkley	Mitchell	Stephens
S. Baldwin	Cumming	Holdridge	Morris	Suffern
Barrow	Cushman	Hollenbeck	Nelson	Thompson
Barton	Dawson	Howell	Odell	Ward
Bennett	A. A. Dunlop	Mos. Hutchinson	Palmer	Ware
Benedict	R. Dunlap	Jenkins	Payne	Wart
Beers	Ferguson	Kinney	Preston	Weed
Bergen	Fiero	Kirkland	Robertson	Wilson
Boardman	Freeman	Legg	Scott	D. Willis
Boyd	Germain	Leigh	Searing	J. E. Willis
Burgess	Gleason	Littlefield	Seadons	Williams
Burnett	Gorham	Maguire	Seely	J. S. Wood
Chesebro	Graham	Mather	Sharp	79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

“An act for the withdrawal of the circulating bills of incorporated banks, whose charters have expired, or may hereafter expire.”

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Cumming moved the final vote upon the bill entitled “An act in relation to, and reducing the several acts relating to the district courts in the city of New-York, into one act,” be reconsidered.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cumming, and it was determined in the affirmative.

{ AYES 77 }
{ NOES 00 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Conkling	Jenkins	Morris	Stephens
Bailey	Crocheron	Kinney	Noble	Suffern
S. Baldwin	Cumming	Kirkland	Palmer	Thompson
Barrow	Cushman	Lee	Payne	Thorn
Beers	A. A. Dunlop	Legg	Preston	Underwood
Benedict	R. Dunlap	Leigh	Randall	Ward

Bennett	Fiero	Littlefield	Robertson	Ware
Bergen	Freeman	Littlejohn	Rowland	Wart
Boardman	Germain	Maguire	Scott	White
Boyd	Gibbs	Mather	Searing	Whitman
Brust	Gott	McGraw	Seeley	Wilson
Burgess	Harpur	McMurray	Sharp	D. Willis
Burnett	Hinkley	Mills	Sheeley	J. E. Willis
Chesebro	Hollenbeck	S. F. Miller	Sill	J. S. Wood
Clinton	Howell	Mitchell	Speaker	W. H. Wood
Collins	Mos. Hutchinson			

77

On motion of Mr. Conkling,
Said bill was laid on the table.

The bill entitled "An act providing for the completion of the opening and grading of Division avenue, in the county of Kings, and for the paving and otherwise improving the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Conkling	Harpur	S. F. Miller	Speaker
Baker	Crocherson	Hatch	Mitchell	Sill
S. Baldwin	Cost	Holdridge	Morris	Stephens
Barrow	Cumming	Hollenbeck	Nelson	Suffern
Barton	Cushman	Howell	Noble	Thompson
Bennett	Dawson	Mos. Hutchinson	Palmer	Thorn
Benedict	A. A. Dunlap	Jenkins	Preston	Underwood
Beers	R. Dunlap	Kinney	Randall	Ward
Bergen	Edwards	Kirkland	Robertson	Ware
Boardman	Ferguson	Leigh	Rowland	Wart
Bostwick	Fiero	Littlefield	Scott	White
Brust	Freeman	Littlejohn	Searing	Whitman
Burnett	Germain	Maguire	Sessions	Wilson
Chesebro	Gibbs	Mather	Seeley	D. Willis
Clinton	Gorham	May	Sharp	J. E. Willis
Cook	Gott	McGraw	Sheeley	Williams
Collins	Graham	Mills		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the board of supervisors of the several counties of this State to make the office of district attorney a salaried office, and to fix the salary thereof,' passed April 14, 1852," coming up for its third reading,

On motion of Mr. Burnett,

Said bill was referred to the committee on the judiciary, without instructions.

The bill entitled "An act, constituting the village of Glens Falls a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Cumming	Hatch	Mills	Speaker
Bailey	Cushman	Hinkley	S. F. Miller	Stephens
Baker	Dawson	Holdridge	Mitchell	Sufern
Barrow	Dewey	Hollenbeck	Morris	Thompson
Beers	A. A. Dunlop	Howell	Noble	Thorn
Bennett	R. Dunlap	Mos. Hutchinson	Palmer	Underwood
Bergen	Edwards	Jenkins	Preston	Ward
Bostwick	Fiero	Joy	Robertson	Ware
Brust	Freeman	Kinney	Rowland	Weed
Burgess	Germain	Kirkland	Scott	White
Burnett	Gleason	Legg	Searing	Wilson
Clinton	Gorham	Littlefield	Sessions	J. D. Willis
Cook	Gott	Maguire	Seeley	J. E. Willis
Conkling	Harpur	Mather	Sharp	W. H. Wood
Crocheron	Harris	May	Sill	

74

For the negative,

Collins

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorise the inhabitants of the town of Malone to borrow money for the purpose of widening and improving the bridge over Salmon river, in the village of said town,' passed March 1, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Gott	Maguire	Sharp
Aitken	Collins	Harpur	Mather	Speaker
Bailey	Conkling	Harris	May	Thompson
Baker	Crocheron	Hatch	McGraw	Thorn
S. Baldwin	Cumming	Hinkley	McMurray	Underwood
Barrow	Cushman	Holdridge	L. Miller	Ward
Barton	Dawson	Hollenbeck	Mitchell	Ware
Bennett	A. A. Dunlop	Mos. Hutchinson	Morris	Wart
Benedict	R. Dunlap	Jenkins	Noble	Weed
Beers	Edwards	Joy	Palmer	White
Bergen	Ferguson	Kirkland	Preston	Whitman
Boardman	Fiero	Legg	Robertson	Wilson
Bostwick	Freeman	Leigh	Rowland	D. Willis

Boyd
Brust
Burgess
Case

Germain
Gibbs
Gleason
Gorham

Littlefield
Littlejohn
Lozier

Searing
Sessions
Seeley

Williams
Winne
W. H. Wood

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorising the agricultural insurance company to change its place of business," coming up for its third reading,

On motion of Mr. Conkling,

The third reading of said bill was indefinitely postponed.

The bill entitled "An act to amend the act entitled 'An act in relation to weights and measures,' passed April 11, 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle
Aiken
Bailey
Baker
R. J. Baldwin
Barrow
Barton
Baucus
Bennett
Benedict
Bears
Bergen
Bostwick
Boyd
Burnett
Clinton

Cook
Conkling
Crocheron
Cumming
Cushman
A. A. Dunslop
B. Dunlap
Edwards
Ferguson
Fiero
Freeman
Germain
Gibbs
Gleason
Gorham
Gott

Harpur
Harris
Jenkins
Kinney
Legg
Leigh
Littlefield
Littlejohn
Maguire
May
McGraw
McMurray
Mills
L. Miller
S. F. Miller
Mitchell

Morris
Nelson
Noble
Odell
Palmer
Preston
Robertson
Rowland
Scott
Searing
Sessions
Seeley
Sharp
Sheeley
Sill
Smalley

Suffern
Thompson
Thorn
Ward
Ware
Wart
Weed
White
Whitman
Wilson
D. Willis
J. E. Willis
Williams
J. S. Wood
W. H. Wood

79

Those who voted in the negative are,

Burgess

Collins

Hinkley

Mos. Hutchinson Mather

5

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bergen moved that the bill entitled "An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same," be taken from the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the affirmative.

On motion of Mr. Bergen, and by unanimous consent,

The following amendments were adopted :

§ 1. By inserting in 20th line between "ties" and "shall" the words, "now belonging to the different municipalities consolidated."

§ 2. Insert between the words "appoint" and "shall," in line three the words "in the manner now or hereafter prescribed by law."

§ 6. Insert between the words "State" and "relative" in line two, the words, "or the ordinances of the city."

§ 8. Insert between the words "funds" and "and" in line five, the words, "of the district in which the violation occurs."

§ 15. Line seven, strike out "decreed" and insert "decreed."

§ 17. Insert between the words "fires" and "shall" in line three the words, "or for regulating the storage of gunpowder and other articles of a combustible nature."

§ 18. Strike out "the passage of" in line two, and insert in same line after the word "act" and before "nominate" the words, "shall take effect." Also in line three, the word "three" and insert "five."

Pending consideration thereof,

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess until seven o'clock p. m.

SEVEN O'CLOCK, P. M.

The House again met.

On motion of Mr. Conkling,

The bill under consideration at time of taking the last recess to-day, was laid upon the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the resolution in the words following:

Resolved, (if the Assembly concur,) That the two Houses of the Legislature proceed on the 4th day of April, at 12 o'clock, noon, to the election of a State Superintendent of public instruction, in pursuance of the law passed for that purpose at the present session.

On motion of Mr. Harris, and by unanimous consent, Said resolution was concurred in.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to legalize the annual election for village officers held in the village of Piermont, county of Rockland, on the first Tuesday of March, 1853."

"An act to amend an act entitled 'An act to amend title six, chapter seven, of part one of the Revised Statutes, passed July

11, 1853,' relating to the supply of the Legislature with stationery, knives and newspapers."

"An act to amend an act in relation to free schools in the city of Troy, and school district number two, in Lansingburgh, passed July 1, 1851; also to amend the act providing for the establishment of free schools in the city of Troy, passed April 4, 1849."

"An act to authorise Edward Van Wart to establish and continue a ferry across the Hudson river, from Sing Sing to Rockland Lake and Haverstraw."

"An act for the relief of the Poughkeepsie and Stormville plank road company."

"An act for the relief of the Poughkeepsie and Salt Point plank road company."

"An act to authorise the city of Troy to raise money by tax, and to borrow money."

"An act to provide for the straightening of the Onondaga canal and draining certain low lands near the southerly bounds of the city of Syracuse."

"An act to amend an act entitled 'An act to provide for the extension of the draining of the Black creek or Crozier swamp, in the county of Ulster,' passed June 4, 1853."

"An act to incorporate the city of Poughkeepsie."

"An act concerning appeals."

"An act to amend the act entitled 'An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county, alternately in each of said districts,' passed July 19, 1853."

"An act for the relief of Thomas Canavan, Thomas Sausse, Jas. Brady and Hugh Kelley."

"An act in relation to the Mohawk and Newport plank road company."

"An act for the protection of gas light companies."

"An act to repeal the highway law in the county of Richmond."

"An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments, by persons residing out of the State of New-York,' passed April 7, 1848."

"An act to incorporate the Ogdensburgh water works company."

"An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Mount Vernon, in the town of Eastchester, county of Westchester, and to make said village a separate road district."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to amend the Revised Statutes in relation to proceedings to perpetuate testimony," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Horace Treadwell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. J. S. Wood, and by unanimous consent, Said committee were empowered to report complete.

"An act to amend an act incorporating the village of Flushing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to increase the number of wreckmasters in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorise Rackliffe to erect and maintain a dam across the Genesee river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the support of schools among the Shinecock tribe of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to incorporate the Hudson aqueduct company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act passed June 25, 1853, entitled 'An act to provide for the incorporation of fire insurance companies,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend the several acts in relation to the association for the exhibition of the industry of all nations, and to declare the powers thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

On motion of Mr. Clinton, and by unanimous consent, Said committee were empowered to report the same complete.

On motion of Mr. Harris,

Leave of absence was granted to Mr. Hull for two days.

Mr. Brust, on his own motion, was granted leave of absence for one day.

Mr. Cook, on his own motion, was granted leave of absence for the evening.

A message from the Senate was received and read, informing that they had concurred in the passage of the bills entitled as follows:

"An act to amend the charter of the city of Utica."

"An act relative to assessors in the town of Oswegatchie, in the county of St. Lawrence."

"An act to authorise the village of Port Jarvis to hold an election to choose its charter officers."

"An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans, to resurvey part of a certain State road, in said town."

"An act to authorise the imposition of a tax upon certain land in Herkimer and Hamilton counties, to provide means for completing a road from Morehouse to Salisbury."

"An act to incorporate the Oneida plank road company."

"An act to provide for improving the Sacandaga river."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to enable the Seneca and Wayne plank road company to remove one of their toll gates."

A message from the Senate was received and read, informing that they had non-concurred in the amendment of the Assembly to the bill entitled as follows:

"An act to amend an act entitled 'An act for the preservation of the public health.'"

Ordered, That said bill be laid on the table.

On motion of Mr. Cushman, and by unanimous consent,

Resolved, That His Excellency the Governor be, and hereby is requested to return to this House the "bill to authorise the election of a police justice in the town of Newburgh."

The bill entitled "An act to authorise the town of Norwich to borrow money to aid in the construction of the Utica and Binghamton railroad through said town," coming up for its third reading,

On motion of Mr. Benedict, and by unanimous consent,

Said bill was amended by adding to the first section thereof, as follows:

"Before said commissioners shall proceed to raise said money or subscribe to said stock they or either of them shall obtain the written consent of two-thirds of the taxable inhabitants of said town, proof of which shall be filed in writing in the clerk's office of said town and county of Chenango."

On motion of Mr. R. J. Baldwin, and by unanimous consent,

Said bill was amended by adding to the ninth section, as follows:

§ 9. "Any taxable inhabitant of the said town of Norwich may become and act as a director of the said railroad if he shall be duly elected as such director."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assem-

bly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 66 {
{ NOES 28 }

Those who voted in the affirmative are,

Aitken	Conkling	Hinkley	Noble	Thompson
Bailey	Cost	Holdridge	Palmer	Thorn
E. J. Baldwin	Crocheron	Jenkins	Payne	Townsend
S. Baldwin	Cumming	Kirkland	Peters	Underwood
Barrow	Cushman	Littlefield	Robertson	Ward
Barton	Dewey	Littlejohn	Scott	Ware
Benedict	R. Dunlap	Martin	Searing	Wart
Bennett	Freeman	May	Sessions	Weed
Bergen	Germain	McGraw	Seeley	D. Willis
Boardman	Gibbs	Mills	Shaeley	J. E. Willis
Bostwick	Gorham	S. F. Miller	Sill	D. P. Wood
Boyd	Graham	Mitchell	Speaker	J. S. Wood
Clinton	Harris	Nelson	Stephens	W. H. Wood
Cook				

66

Those who voted in the negative are,

Angle	Dawson	Howell	McMurray	Sharp
Baker	Ferguson	Mos. Hutchinson	L. Miller	Suffern
Beers	Fiero	Legg	Preston	White
Brust	Gleason	Leigh	Randall	Whitman
Burgess	Gott	Maguire	Rowland	Williams
Burnett	Hatch	Mather		

28

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. J. E. Willis, and by unanimous consent,

Resolved, (if the Senate concur,) That the Clerks of the Senate and Assembly, cause to be printed and bound for each member, officer and reporter of the Legislature, five copies of the quarto edition of the Documentary History.

On motion of Mr. Cumming,

The bill relative to the consolidation of the cities of Williamsburgh and Brooklyn, &c., was taken from the table.

On motion of Mr. Cumming, and by unanimous consent,

Said bill was amended as follows :

"Nothing in this act contained, shall in any manner affect, impair or hinder any rights, privileges, jurisdiction or franchise of the mayor, aldermen and commonalty of the city and county of New-York."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 {
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Mos. Hutchinson	Noble	Thompson
R. J. Baldwin	Cost	Jenkins	Palmer	Townsend

S. Baldwin	Crocheron	Kirkland	Payne	Underwood
Barrow	Cumming	Legg	Preston	Ward
Barton	Dawson	Leigh	Randall	Ware
Beers	E. Dunlap	Littlefield	Robertson	Wart
Benedict	Ferguson	Littlejohn	Rowland	Weed
Bennett	Fiero	Maguire	Scott	White
Bergen	Freeman	Martin	Searing	Whitman
Boardman	Germain	May	Sessions	Wilson
Bostwick	Gorham	McGraw	Seeley	D. Willis
Brust	Graham	Mills	Sheeley	J. E. Willis
Burgess	Harris	L. Miller	Sill	Williams
Burnett	Hatch	S. F. Miller	Speaker	D. P. Wood
Chesbro	Hinkley	Morris	Stephens	J. S. Wood
Cook	Howell	Nelson	Suffern	W. H. Wood

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to confirm and amend the charter of the village of Morrisville,' passed April 12, 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Graham	Mitchell	Suffern
Bailey	Collins	Harris	Nelson	Thompson
Baker	Conkling	Hatch	Noble	Townsend
E. J. Baldwin	Cost	Hinkley	Payne	Underwood
S. Baldwin	Crocheron	Mos. Hutchinson	Peters	Ward
Barrow	Cumming	Jenkins	Preston	Wart
Barton	Cushman	Kirkland	Randall	Weed
Beers	Dawson	Legg	Robertson	White
Benedict	Dewey	Leigh	Rowland	Whitman
Bennett	E. Dunlap	Littlefield	Scott	Wilson
Bergen	Ferguson	Littlejohn	Searing	D. Willis
Boardman	Fiero	Lozier	Sessions	J. E. Willis
Bostwick	Freeman	Maguire	Seeley	Williams
Brust	Germain	May	Sharp	D. P. Wood
Burgess	Gibbs	McGraw	Sheeley	J. S. Wood
Burnett	Gorham	L. Miller	Sill	W. H. Wood
Chesbro	Gott	S. F. Miller	Speaker	

84

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Chesebro	Hinkley	Odell	Suffern
Aiken	Clinton	Mos. Hutchinson	Palmer	Thompson
Bailey	Cook	Jenkins	Payne	Townsend
Baker	Collins	Kinney	Peters	Underwood
R. J. Baldwin	Conkling	Kirkland	Preston	Ware
S. Baldwin	Cost	Leigh	Randall	Wart
Barrow	Crocheron	Littlefield	Robertson	White
Barton	Cumming	Littlejohn	Rowland	Whitman
Bennett	Cushman	Maguire	Searing	Wilson
Beers	Dawson	McMurray	Seely	D. Willis
Benedict	R. Dunlap	L. Miller	Sharp	J. E. Willis
Bergen	Ferguson	S. F. Miller	Sheeley	Williams
Boardman	Fiero	Mitchell	Sill	D. P. Wood
Brust	Gibbs	Morris	Speaker	J. S. Wood
Burgess	Gott	Nelson	Stephens	W. H. Wood
Burnett	Hatch	Noble		

78

For the negative,

Weed

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. D. P. Wood moved to reconsider the final vote taken to-day upon the bill entitled "An act to authorise the construction of a lateral canal in the county of Onondaga, at the expense of the owners."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the negative.

{ AYES 43 {
{ NOES 32 {

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bailey	Cushman	Mos. Hutchinson	Noble	Thompson
S. Baldwin	Dewey	Jenkins	Payne	Townsend
Barrow	Ferguson	Leigh	Searing	Underwood
Benedict	Fiero	Littlefield	Sharp	Ward
Bennett	Freeman	Littlejohn	Sheeley	J. E. Willis
Boardman	Germain	McGraw	Sill	Williams
Brust	Gott	Mills	Speaker	D. P. Wood
Chesebro	Graham	L. Miller	Suffern	W. H. Wood
Clinton	Harrie	Nelson		

48

Those who voted in the negative are,

Aiken	Cost	Hatch	Morris	Ware
R. J. Baldwin	Crocheron	Hinkley	Palmer	Weed
Barton	Cumming	Kirkland	Peters	White
Beers	Dawson	Legg	Preston	Wilson
Bergen	R. Dunlap	Martin	Rowland	D. Willis
Burgess	Gibbs	Mitchell	Scott	J. S. Wood
Conkling	Gorham			

82

On motion of Mr. Fiero,

At half-past nine o'clock p. m., the House adjourned.

TUESDAY, APRIL 4, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Sheahan.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act revising, amending and consolidating the several acts in relation to the village of Kingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hinkley	Mitchell	Stephens
Bailey	Crocheron	Holdridge	Morris	Sumner
Backus	Cushman	Hollenbeck	Munroe	Thompson
R. J. Baldwin	Dawson	Howell	Nelson	Thorn
S. Baldwin	E. Dunlap	Mos. Hutchinson	Noble	Townsend
Barton	Edwards	Kinney	Odell	Underwood
Beers	Ferguson	Kirkland	Payne	Ward
Benedict	Fiero	Legg	Peters	Ware
Bennett	Freeman	Leigh	Preston	Wart
Bergen	Germain	Littlefield	Randall	Weed
Boardman	Gibbs	Littlejohn	Richardson	White
Burgess	Gleason	Maguire	Robertson	Whitman
Burnett	Gorham	Mather	Rowland	D. Willis
Chesebro	Gott	May	Seasons	J. E. Willis
Clinton	Graham	McGraw	Sharp	Williams
Cook	Harpur	McMurray	Sheeley	D. P. Wood
Collins	Harris	L. Miller	Sill	J. S. Wood
Conkling	Hatch	S. F. Miller	Speaker	W. H. Wood 90

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to provide for a settlement of the accounts of commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds."

Mr. Benedict moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	Palmer	Sumner
Bailey	Cushman	Mos. Hutchinson	Payne	Thompson
Backus	Dawson	Kinney	Peters	Thorn
R. J. Baldwin	R. Dunlap	Kirkland	Randall	Townsend
S. Baldwin	Edwards	Legg	Richards	Underwood
Barton	Ferguson	Leigh	Robertson	Ward
Beers	Fiero	Littlefield	Rowland	Ware
Benedict	Freeman	Maguire	Scott	Wart
Bennett	Germain	May	Searing	Weed
Bergen	Gibbs	McGraw	Sessions	Whipple
Boardman	Gott	McMurray	Seeley	White
Burgess	Graham	Mills	Sharp	J. E. Willis
Burnett	Harpur	L. Miller	Sheeley	D. P. Wood
Chesebro	Harris	Morris	Sill	J. S. Wood
Clinton	Hatch	Noble	Speaker	W. H. Wood
Cook	Hinkley	Odell	Stephens	

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend the charter of the village of Ogdensburgh."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Mos. Hutchinson	Palmer	Sumner
Bailey	Cost	Kinney	Payne	Thompson
Backus	Crocheron	Kirkland	Peters	Thorn
R. J. Baldwin	Cumming	Legg	Preston	Townsend
S. Baldwin	Dawson	Littlefield	Randall	Underwood
Barton	Fiero	Maguire	Richards	Ward
Beers	Freeman	May	Richardson	Ware
Benedict	Germain	McGraw	Robertson	Weed
Bennett	Gibbs	McMurray	Rowland	Whipple
Bergen	Graham	Mills	Sessions	White
Boardman	Harpur	L. Miller	Seeley	Whitman
Burgess	Harris	S. F. Miller	Sharp	J. E. Willis
Burnett	Hatch	Morris	Sheeley	Williams
Chesebro	Hinkley	Nelson	Sill	D. P. Wood
Clinton	Holdridge	Noble	Speaker	W. H. Wood
Cook	Howell	Odell	Stephens	

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend the charter of the village of Lookport."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative are.

Bailey	Cost	Hinkley	Noble	Stephens
Baker	Orecheron	Holdridge	Odell	Suffern
Bachus	Cumming	Hollenbeck	Palmer	Thompson
S. Baldwin	Cushman	Howell	Payne	Thorn
Barton	Dawson	Mos. Hutchinson	Peters	Townsend
Bears	Dewey	Khney	Preston	Underwood
Benedict	R. Dunlap	Kirkland	Randall	Ward
Bennett	Edwards	Legg	Richards	Ware
Bergen	Ferguson	Leigh	Robertson	Wart
Bostwick	Fiero	Littlefield	Rowland	Wood
Brust	Freeman	Maguire	Scott	Whipple
Burgess	Germains	May	Searing	White
Burnett	Gibbs	McGraw	Sessions	Whitman
Cass	Gleason	McMurray	Seeley	J. E. Willis
Chesebro	Gott	Mills	Sharp	Williams
Clinton	Graham	L. Miller	Sheeley	D. P. Wood
Cook	Harpur	S. F. Miller	Sill	J. S. Wood
Collins	Harris	Morris	Speaker	W. H. Wood
Conkling	Hatch			

92

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

Mr. Boardman moved to reconsider the vote upon the concurrence of the House with the amendments of the Senate to the bill relating to the city of Utica, taken to-day.

On motion of Mr. Peters,

Said motion was laid on the table.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend an act entitled 'An act to amend the act entitled 'An act to authorise the corporation of the city of Auburn to borrow money for the purpose of aiding the construction of a railroad, passing through the said city, and connecting Lake Ontario with the New-York and Erie railroad, or the Cayuga and Susquehannah railroad,' passed July 10, 1851,' passed April 2, 1853."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

} AYES 79 {
} NOES 00 {

Those who voted in the affirmative are,

Angle	Collins	Hollenbeck	Odell	Stephens
Aitken	Conkling	Mos. Hutchinson	Palmer	Thorn
Bailey	Cost	Kinney	Payne	Townsend
Backus	Cumming	Kirkland	Preston	Underwood
R. J. Baldwin	Dawson	Legg	Randall	Ward
S. Baldwin	R. Dunlap	Leigh	Richards	Ware
Beers	Edwards	Littlefield	Richardson	Wart
Benedict	Ferguson	Littlejohn	Robertson	Whipple
Bennett	Fiero	Maguire	Rowland	White
Bergen	Gorham	Mather	Scott	Whitman
Burgess	Gott	May	Searing	J. E. Willis
Burnett	Harpur	McGraw	Sessions	Williams
Case	Harris	L. Miller	Seeley	D. P. Wood
Chesebro	Hatch	S. F. Miller	Sharp	J. S. Wood
Clinton	Hinkley	Nelson	Sill	W. H. Wood
Cook	Holdridge	Noble	Speaker	

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

“An act to incorporate the Yonkers savings bank.”

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

} AYES 75 {
} NOES 00 {

Those who voted in the affirmative are,

Angle	Cook	Harris	Mills	Seeley
Bailey	Conkling	Hatch	Morris	Sheeley
Backus	Crocheron	Hinkley	Nelson	Speaker
S. Baldwin	Cumming	Holdridge	Noble	Stephens
Beers	Dawson	Mos. Hutchinson	Odell	Thompson
Benedict	R. Dunlap	Kinney	Palmer	Thorn
Bennett	Edwards	Kirkland	Payne	Townsend
Bergen	Ferguson	Legg	Peters	Underwood
Boardman	Fiero	Leigh	Preston	Ward
Bostwick	Freeman	Littlefield	Richards	Ware
Burgess	Gibbs	Maguire	Richardson	Whitman
Burnett	Gleason	Mather	Robertson	J. E. Willis
Case	Gorham	May	Rowland	D. P. Wood
Chesebro	Gott	McGraw	Searing	J. S. Wood
Clinton	Harpur	McMurray	Sessions	W. H. Wood

75

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to enable the supervisors of the city and county of New-York to raise money by tax."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Holdridge	Peters	Suffern
Aitken	Cushman	Jenkins	Preston	Thompson
Backus	Dawson	Kinney	Richards	Thorn
S. Baldwin	R. Dunlap	Kirkland	Richardson	Townsend
Beers	Fiero	Legg	Robertson	Underwood
Benedict	Freeman	Leigh	Rowland	Ward
Bennett	Germain	Littlefield	Scott	Ware
Bergen	Gibbs	Mather	Searing	Wart
Bostwick	Gleason	McGraw	Sessions	Whipple
Burgess	Gorham	L. Miller	Seeley	White
Case	Gott	Morris	Sharp	Wilson
Chesebro	Graham	Nelson	Sheeley	D. Willis
Ollinton	Harpur	Noble	Sill	D. P. Wood
Cook	Harris	Odell	Speaker	J. S. Wood
Conkling	Hatch	Palmer	Stephens	W. H. Wood
Crocheron	Hinkley	Payne		

78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The Senate bill entitled "An act to authorize the alteration of the articles of association of the Bank of Silver Creek," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	Nelson	Sill
Bailey	Cushman	Jenkins	Noble	Speaker
S. Baldwin	Dawson	Kinney	Odell	Stephens
Barton	A. A. Dunlop	Kirkland	Palmer	Suffern
Beers	R. Dunlap	Leigh	Payne	Townsend

Benedict	Edwards	Littlefield	Preston	Underwood
Bennett	Fiero	Littlejohn	Richards	Ward
Bergen	Freeman	Mather	Richardson	Wart
Bostwick	Germain	May	Robertson	Whipple
Burnett	Gibbs	McGraw	Rowland	Whitman
Case	Harpur	Mills	Searing	D. Willis
Chesebro	Harris	L. Miller	Sessions	D. P. Wood
Cook	Hatch	S. F. Miller	Sharp	J. S. Wood
Conkling	Hollenbeck	Morris	Sheeley	W. H. Wood
Crocheron				

71

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to confirm the acts of the commissioners appointed to preside over the election of town officers in the organization of the town of Horseheads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Holdridge	Payne	Thompson
Bailey	Cumming	Hollenbeck	Peters	Thorn
Backus	Cushman	Howell	Preston	Townsend
S. Baldwin	A. A. Dunlop	Jenkins	Randall	Underwood
Barton	Edwards	Kinney	Richardson	Ward
Beers	Fiero	Kirkland	Robertson	Ware
Bennett	Freeman	Leigh	Rose	Wart
Bergen	Gibbs	Littlejohn	Savage	Weed
Boardman	Gleason	Maguire	Scott	Whipple
Bostwick	Gorham	Mather	Searing	White
Boyd	Gott	May	Sessions	Whitman
Case	Graham	McGraw	Seeley	Wilson
Chesebro	Harpur	S. F. Miller	Sharp	J. E. Willis
Clinton	Harris	Noble	Sheeley	D. P. Wood
Cook	Hatch	Odell	Speaker	J. S. Wood
Conkling	Hinkley	Palmer	Suffern	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor was received and read, informing that he had approved and signed the bills entitled as follows :

"An act to amend an act entitled 'An act to increase the number of wards and ward officers in the city of Troy,' passed April 17, 1851."

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Ilion, in the county of Herkimer."

"An act to confirm certain acts of the common council of the city of Oswego, in relation to the building of a pier in the west harbor of said city."

"An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April 20, 1832."

"An act to amend the act passed in 1848, entitled 'An act to provide for the incorporation of bridge companies.'"

"An act to reduce the criminal expenses of the town of Watervliet, in the county of Albany."

"An act to change the name of the First Congregational Society of Batavia."

"An act to amend an act entitled 'An act to amend an act in relation to the incorporation of the village of Le Roy,' passed May 5, 1834."

"An act to amend title second, chapter fifth, of part third of the Revised Statutes, entitled 'Proceedings to compel the determination of claims to real property in certain cases.'"

"An act to constitute that part of the town of Johnstown, in the county of Fulton, within the corporate limits of the village of Gloversville, a separate road district."

"An act relative to the construction of railroads in cities."

Mr. Case, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," to report forthwith complete, reported the same complete with amendments, which report was agreed to.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 43 }
{ NOES 50 }

Those who voted in the affirmative, are,

Angle	Cest	Graham	Odell	Rose
Bailey	Crocheron	Harris	Palmer	Savage
Baker	Cumming	Legg	Payne	Scott
Backus	Cushman	Littlejohn	Peters	Searing
Benedict	A. A. Dunlop	Maguire	Randall	Speaker
Boyd	Edwards	Mather	Richards	Ward
Burnett	Germain	May	Richardson	Wart
Case	Gibbs	McGraw	Robertson	D. P. Wood
Collins	Gott	Mitchell		

43

Those who voted in the negative are,

Aithen	Dawson	Holdridge	S. F. Miller	Underwood
S. Baldwin	R. Dunlap	Hollenbeck	Nelson	Weed
Barton	Ferguson	Howell	Noble	Whipple

Beers	Fiero	Mos. Hutchinson	Rowland	White
Bennett	Freeman	Jenkins	Sessions	Wilson
Bergen	Gleason	Kinney	Seeley	D. Willis
Boardman	Gorham	Kirkland	Sill	J. E. Willis
Burgess	Harpur	Leigh	Suffern	Williams
Chesebro	Hatch	McMurray	Thorn	J. S. Wood
Cook	Hinkley	L. Miller	Townsend	W. H. Wood

Mr. Weed moved to reconsider the vote just taken.

On motion of Mr. Littlejohn,

Said motion was laid on the table.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan savings institution,' passed April 10, 1850," coming up for its third reading,

On motion of Mr. Cumming, and by unanimous consent,

Said bill was amended by adding the following to the first section :

" Provided, however, that no loan shall be made under this section upon any stocks or securities whatever to a greater amount than three-fourths of the actual cash value of such stocks or securities at the time of making such loan."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 86 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Conkling	Graham	Mather	Seeley
Bailey	Cost	Harpur	May	Sharp
Baker	Crocheron	Harris	McGraw	Sheeley
Backus	Cumming	Hatch	McMurray	Sill
S. Baldwin	Cushman	Hinkley	L. Miller	Speaker
Barton	Dawson	Holdridge	Mitchell	Suffern
Beers	A. A. Dunlop	Hollenbeck	Nelson	Thompson
Benedict	R. Dunlap	Howell	Noble	Townsend
Bennett	Edwards	Mos. Hutchinson	Palmer	Underwood
Bergen	Ferguson	Jenkins	Payne	Wars
Boardman	Fiero	Kinney	Peters	Whipple
Boardwick	Freeman	Kirkland	Preston	Whitman
Boyd	Germain	Leigh	Richards	Wilson
Burgess	Gibbs	Littlefield	Robertson	J. E. Willis
Burnett	Gleason	Littlejohn	Rowland	Williams
Case	Gorham	Maguire	Scott	J. S. Wood
Clinton	Gott	Martin	Searing	W. H. Wood
Cook				

85

For the negative,

Thorn

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to regulate stage routes, and to authorise the formation of companies for the operation of the same."

Mr. Clinton moved the House concur in said amendments.

Mr. Conkling moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	Mills	Searing
Alken	Cook	Harpur	L. Miller	Shoeley
Bailey	Conkling	Harris	S. F. Miller	Speaker
Baker	Cushman	Hatch	Morris	Suffern
S. Baldwin	Dawson	Hollenbeck	Nelson	Thorn
Barton	A. A. Dunlop	Mos. Hutchinson	Palmer	Townsend
Benedict	R. Dunlap	Jenkins	Payne	Ward
Bennett	Edwards	Kinney	Peters	Ware
Bergen	Fiero	Leigh	Preston	Whipple
Boardman	Freeman	Littlejohn	Richards	Wilson
Burgess	Germain	Maguire	Robertson	J. E. Willis
Burnett	Gibbs	Martin	Rowland	Williams
Case	Gorham	May	Savage	J. S. Wood
Chesebro	Gott	McMurray	Scott	W. H. Wood 70

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

Mr. Backus moved to reconsider the final vote taken yesterday upon the bill for the consolidation of the cities of Brooklyn, Willamburgh, &c.

Mr. Conkling moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 41 }
{ NOES 53 }

Those who voted in the affirmative are,

Angle	Collins	Hinkley	Noble	Still
Alken	Conkling	Howell	Odell	Suffern

Bailey	Orocheron	Mos. Hutchinson	Palmer	Thorn
Beckus	Edwards	Kinney	Payne	Underwood
S. Baldwin	German	Kirkland	Peters	Ward
Beers	Gibbs	Littlefield	Richardson	Wood
Benedict	Graham	May	Rose	D. Willis
Boardman	Harris	McGraw	Sharp	W. H. Wood
Case				

41

Those who voted in the negative are,

Baker	Cost	Hatch	S. F. Miller	Speaker
Barton	Cumming	Holdridge	Morris	Thompson
Baucus	Cushman	Hollenbeck	Preston	Townsend
Bennett	Dawson	Jenkins	Randall	Ware
Bergen	R. Dunlap	Legg	Richards	Wart
Bostwick	Ferguson	Leigh	Rowland	Whipple
Burgess	Fiero	Littlejohn	Savage	White
Burnett	Freeman	Maguire	Scott	Whitman
Chesebro	Gleason	Martin	Searing	Wilson
Clinton	Gott	Mills	Seeley	J. S. Wood
Cook	Harpur	L. Miller		

88

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to amend the several acts in relation to State prisons."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Holdridge	Mitchell	Sill
Aitken	Crocheron	Hollenbeck	Morris	Speaker
Bailey	Cumming	Howell	Odell	Suffern
Baker	Cushman	Mos. Hutchinson	Palmer	Thorn
S. Baldwin	Dawson	Jenkins	Payne	Townsend
Barton	A. A. Dunlop	Kinney	Peters	Underwood
Beers	R. Dunlap	Kirkland	Randall	Ward
Bennett	Edwards	Littlefield	Richards	Ware
Bergen	Ferguson	Littlejohn	Rose	Whipple
Boardman	Fiero	Maguire	Rowland	White
Burgess	German	Martin	Savage	Wilson
Case	Gibbs	Mather	Searing	Wilder
Chesebro	Gleason	May	Sessions	J. E. Willis
Clinton	Gott	McGraw	Seeley	Williams
Cook	Graham	Mills	Sharp	D. P. Wood
Collins	Harpur	L. Miller	Sheeley	J. S. Wood
Conkling	Hatch	S. F. Miller		

88

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act authorising the payment of \$2,500 on a draft, dated 21st October, 1853, for \$3,719.43, drawn by John C. Mather, late Canal Commissioner," coming up for its third reading,

Mr. Sessions moved to recommit said bill with instructions.

Pending the consideration thereof,

At the hour of 12 o'clock m., Mr. Speaker announced that the time had arrived for the joint meeting of the two houses of the Legislature for the election of State Superintendent of Public Instruction.

Whereupon the Senate appeared in the Assembly Chamber and the Lieutenant Governor took the Speaker's chair.

The two houses then proceeded by joint ballot to the election of State Superintendent of Public Instruction.

Mr. Crosby on the part of the Senate, and Mr. Gibbs on the part of the Assembly, were appointed tellers.

The tellers reported the following as the result of the election:

Whole number of votes 141, of which Victor M. Rice received 96, Samuel S. Randall 41, E. D. S. Young 1, and there were two blanks.

The Lieutenant Governor then declared that Victor M. Rice, having received a majority of all the votes cast, had been duly elected State Superintendent of Public Instruction.

The members of the Senate then retired.

Mr. Speaker then resumed the chair and announced to the House the proceedings of the joint meeting, and the result of the joint ballot, as above recorded.

The bill entitled "An act to amend the charter of the fire department of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cumming	Harris	McMurray	Sessions
Aitken	Cushman	Hatch	L. Miller	Sheeley
Bailey	Dawson	Hinkley	Mitchell	Sill
R. J. Baldwin	Dewey	Holdridge	Noble	Smalley.
S. Baldwin	A. A. Dunlop	Hollenbeck	Odell	Stephens
Barton	R. Dunlap	Mos. Hutchinson	Palmer	Townsend
Beers	Edwards	Kirkland	Payne	Ward
Benedict	Fiero	Legg	Preston	Ware
Bergen	Germain	Littlefield	Richardson	Weed
Boardman	Gibbs	Maguire	Robertson	Wilder
Clinton	Gorham	Martin	Rowland	D. Willis
Cook	Gott	Mather	Savage	J. E. Willis
Conkling	Graham	May	Scott	D. P. Wood
Crocheron	Harper	McGraw	Searing	W. H. Wood 70

For the negative,

Whipple

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the more perfect organization of the police department in the city of New-York," coming up for its third reading,

Mr. Conkling moved to recommit said bill, with instructions to amend the same by striking out the sixth section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 63 }
{ NOES 23 }

Those who voted in the affirmative are,

Angle	Boyd	Gorham	Mitchell	Seeley
Aitken	Chesebro	Gott	Morris	Sheeley
Bailey	Clinton	Graham	Nelson	Thorn
Baker	Cook	Harpur	Odell	Townsend
Backus	Cox	Harris	Palmer	Ward
S. Baldwin	Crocheron	Hollenbeck	Payne	Ware
Barrow	Dawson	Mos Hutchinson	Richards	Weed
Barton	A. A. Dunlop	Jenkins	Robertson	Whipple
Baucus	R. Dunlap	Maguire	Rowland	D. Willis
Beers	Ferguson	Mather	Savage	J. E. Willis
Benedict	Germain	May	Scott	Williams
Bennett	Gibbs	Mills	Sessions	D. P. Wood
Boardman	Gleason	L. Miller		

63

Those who voted in the negative are,

R. J. Baldwin	Freeman	Legg	Noble	Wilson
Burgess	Hatch	Leigh	Peters	Wilder
Conkling	Howell	Martin	Suffern	J. S. Wood
Dewey	Kinney	McGraw	Underwood	W. H. Wood
Edwards	Kirkland	McMurray		

23

Mr. Kinney moved a reconsideration of the vote just taken.

On motion of Mr. Morris,

Said motion was laid on the table.

The bill entitled "An act to regulate the taking of recognizances in the city and county of New-York upon charges of felony, and to extend the provisions of the Code of Procedure to proceedings in forfeiture of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Gleason	McMurray	Stephens
Bailey	Cook	Gorham	Mills	Suffern
Baker	Conkling	Gott	L. Miller	Thompson
Backus	Cost	Graham	Nelson	Thorn
R. J. Baldwin	Crocheron	Harpur	Noble	Townsend
S. Baldwin	Cumming	Harris	Odell	Underwood
Barrow	Cushman	Hatch	Palmer	Ward
Barton	Dawson	Hinkley	Peters	Weed
Baucus	Dewey	Jenkins	Richardson	Wilson
Beers	A. A. Dunlop	Kirkland	Robertson	Wilder
Benedict	Edwards	Legg	Rowland	D. Willis
Bennett	Ferguson	Littlefield	Scott	J. E. Willis
Bergen	Fiero	Maguire	Searing	D. P. Wood
Boardman	Freeman	Mather	Sessions	J. S. Wood
Burgess	Germain	May	Seeley	W. H. Wood
Chesebro	Gibbs	McGraw	Sill	79

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Benedict,

At twenty-five minutes past one o'clock p. m., the House took a recess until half-past three o'clock p. m.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act appropriating money for Clinton State prison."

"An act to appoint commissioners to investigate and examine into the pecuniary affairs and condition of the several State prisons, and to report thereon; and also such laws as they may deem proper for the better regulation and discipline of said prisons, to the Legislature of this State."

Ordered, That the Clerk deliver said bills to the Governor.

The bill entitled "An act to amend an act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hatch	Mitchell	Speaker
Bailey	Crocheron	Hinkley	Noble	Stephens

Baker	Cumming	Holdridge	Palmer	Thompson
Backus	Cushman	Howell	Payne	Thorn
R. J. Baldwin	Dawson	Hull	Peters	Townsend
S. Baldwin	Dewey	Mos. Hutchinson	Preston	Underwood
Barrow	A. A. Dunlop	Jenkins	Randall	Ward
Beers	R. Dunlap	Kirkland	Richards	Wart
Bennett	Fiero	Legg	Robertson	White
Bergen	Freeman	Leigh	Rowland	Whitman
Boardman	Germain	Littlefield	Savage	Wilson
Boyd	Gibbs	Maguire	Scott	Wilder
Burgess	Gorham	Mather	Sessions	J. E. Willis
Burnett	Gott	May	Seeley	D. P. Wood
Chesebro	Harpur	McGraw	Sill	J. S. Wood
Clinton	Harris	S. F. Miller		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 224 of the Laws of 1853, entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Boyd	Harpur	Mather	Seeley
Aitken	Burgess	Hatch	May	Sill
Bailey	Conkling	Hinkley	McGraw	Speaker
Baker	Cost	Holdridge	Mills	Stephens
Backus	Crocheron	Hollenbeck	Mitchell	Thompson
S. Baldwin	Cumming	Howell	Nelson	Thorn
Barrow	A. A. Dunlop	Hoyle	Noble	Townsend
Barton	R. Dunlap	Hull	Palmer	Wart
Baucus	Edwards	Mos. Hutchinson	Payne	Whitman
Beers	Ferguson	Jenkins	Peters	Wilder
Benedict	Fiero	Kinney	Preston	Williams
Bennett	Germain	Kirkland	Rowland	D. P. Wood
Bergen	Gibbs	Lee	Savage	J. S. Wood
Boardman	Gott	Legg	Searing	W. H. Wood
Bostwick	Graham	Maguire	Sessions	

74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the Clifton Springs Water Cure Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Case	Hinkley	Odell	Stephens
Bailey	Cook	Mos. Hutchinson	Palmer	Thompson
Baker	Conkling	Jenkins	Payne	Thorn
Backus	Cost	Kirkland	Peters	Townsend
R. J. Baldwin	Crocheron	Legg	Randall	Ward
S. Baldwin	Cumming	Leigh	Richardson	Ware
Barton	R. Dunlap	Maguire	Robertson	Wart
Baucus	Edwards	Mather	Rose	White
Beers	Ferguson	May	Rowland	Whitman
Benedict	Fiero	McGraw	Savage	Wilson
Bergen	Freeman	McMurray	Scott	Wilder
Boardman	Gibbs	L. Miller	Searing	Williams
Bostwick	Gorham	S. F. Miller	Sessions	D. P. Wood
Boyd	Gott	Mitchell	Seeley	J. S. Wood
Burgess	Harris	Nelson	Sill	W. H. Wood
Burnett	Hatch	Noble	Speaker	

79

Those who voted in the negative are,

Aitken	Dawson	A. A. Dunlop	Graham	Underwood	5
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Boardman moved to take from the table his motion to reconsider the vote upon concurring with the Senate's amendment to the bill entitled "An act to provide for a settlement of the accounts of the commissioners appointed to erect a court house and jail in the city of Utica, and to discharge them from their official bonds."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Boardman, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 34 }
{ NOES 62 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Baker	Burnett	Gott	Mitchell	Thompson
Backus	Chesebro	Howell	Peters	Ward
R. J. Baldwin	Clinton	Mos. Hutchinson	Richardson	White
S. Baldwin	Collins	Maguire	Scott	Whitman
Barton	Cushman	May	Sill	Wilson
Boardman	Edwards	Mills	Speaker	W. H. Wood
Boyd	Gleason	S. F. Miller	Saffern	

34

Those who voted in the negative are,

Aitken	Crocheron	Hatch	Nelson	Stephens
Bailey	Dawson	Hinkley	Noble	Sterling
Baucus	A. A. Dunlop	Holdridge	Odell	Thorn
Beers	R. Dunlap	Hull	Palmer	Townsend

Benedict	Ferguson	Kirkland	Payne	Underwood
Bennett	Fiero	Legg	Preston	Wart
Bergen	Freeman	Littlefield	Rowland	Weed
Bostwick	Germain	Mather	Savage	Whipple
Burgess	Gibbs	McGraw	Searing	Wilder
Case	Gorham	McMurray	Sessions	D. Willis
Cook	Graham	L. Miller	Seeley	Williams
Conkling	Harpur	Morris	Sheeley	D. P. Wood
Cost	Harris			

62

On motion of Mr. Morris,

The bill relating to the police of the city of New-York was taken from the table.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote taken to-day upon said bill, and it was determined in the affirmative.

{ AYES 74 }
{ NOES 11 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Clinton	Harris	Peters	Sterling
Aitken	Cook	Hinkley	Preston	Suffern
Bailey	Collins	Hull	Richards	Thorn
Baker	Conkling	Jenkins	Richardson	Townsend
Backus	Cumming	Legg	Robertson	Ward
S. Baldwin	Dawson	Littlefield	Rowland	Ware
Barrow	A. A. Dunlop	Magnire	Savage	Weed
Baucus	R. Dunlap	Mather	Scott	Whipple
Benedict	Ferguson	McMurray	Searing	White
Bergen	Fiero	L. Miller	Sessions	Whitman
Bostwick	Germain	Mitchell	Seeley	Wilson
Boyd	Gibbs	Morris	Sheeley	Wilder
Burgess	Gleason	Noble	Sill	Williams
Case	Gott	Odell	Speaker	D. P. Wood
Chesebro	Graham	Palmer	Stephens	

74

Those who voted in the negative are,

Baldwin	Bennett	Freeman	Kirkland	Underwood
Barton	Cost	Harpur	McGraw	W. H. Wood
Beers				

17

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 15 }

Those who voted in the affirmative, are,

Angle	Chesebro	Gott	Morris	Sheeley
Aitken	Clinton	Graham	Nelson	Sill
Bailey	Cook	Harris	Noble	Stephens
Baker	Collins	Hinkley	Odell	Thorn

Backus	Gest	Holdridge	Palmer	Ward
S. Baldwin	Crocheron	Hull	Payne	Ware
Barrow	Cumming	Jenkins	Peters	Wart
Barton	Cushman	Legg	Preston	Weed
Bancus	Dawson	Maguire	Richards	Whipple
Benedict	A. A. Dunlop	Martin	Richardson	White
Bennett	R. Dunlap	Mather	Robertson	Whitman
Bergen	Ferguson	May	Rowland	Wilson
Boardman	Fiero	McGraw	Savage	D. Willis
Bostwick	Germain	McMurray	Scott	Williams
Boyd	Gibbs	Mills	Searing	D. P. Wood
Burgess	Gleason	L. Miller	Sessions	W. H. Wood
Case	Gorham	Mitchell	Seeley	84

Those who voted in the negative are,

Beers	Harpur	Leigh	Sterling	Townsend
Conkling	Mos. Hutchinson	S. F. Miller	Suffern	Underwood
Freeman	Kirkland	Rose	Thompson	Wilder

15

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to amend an act entitled 'An act to amend the 4th title of the 18th chapter of the 1st part of the Revised Statutes, entitled 'Regulations concerning the assessment of taxes on incorporated companies, and the commutation or collection thereof,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the act entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848, as far as the same may relate to any company that may be organized to 'construct certain toll bridges across the Chenango and Susquehannah rivers,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans and Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Odell, and by unanimous consent,

Said committee was empowered to report the same complete.

"An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Washington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Thorn, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act to amend an act entitled 'An act to authorise the New-York and New Haven railroad company to extend their railroad

from the dividing line between the States of New-York and Connecticut to the New-York and Harlem railroad line,' passed May 1st, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Aitken moved to reconsider the final vote taken to-day upon the bill relating to the powers and duties of Commissioners of Emigration.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitken, and it was determined in the negative.

{ AYES 18 }
{ NOES 64 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Ferguson	May	Richards	Thorn
Boyd	Gleason	McMurray	Richardson	Townsend
Coat	Leigh	S. F. Miller	Sheeley	W. H. Wood
Dawson	Maguire	Odell		

18

Those who voted in the negative are,

Bailey	Chesebro	Harpur	Payne	Thompson
Baker	Cook	Hatch	Peters	Underwood
Backus	Conkling	Hinkley	Preston	Ward
Barrow	Cumming	Holdridge	Robertson	Ware
Beers	Dewey	Hollenbeck	Rose	Weed
Benedict	A. A. Dunlop	Mos. Hutchinson	Rowland	White
Bennett	R. Dunlap	Jenkins	Scott	Whitman
Bergen	Edwards	Kirkland	Searing	Wilson
Boardman	Fiero	Mather	Sessions	Wilder
Bostwick	Freeman	L. Miller	Seeley	J. E. Willis
Burgess	Germain	Mitchell	Sharp	D. P. Wood
Burnett	Gott	Noble	Speaker	J. S. Wood
Case	Graham	Palmer	Suffern	

64

Mr. Germain, from the select committee to which was referred the bill entitled "An act to authorise any town in the counties of Erie and Cattaraugus to subscribe to the capital stock of the Buffalo and Pittsburgh railroad company, and to issue bonds in payment thereof," to make sundry amendments, reported the same so amended.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 67 }
{ NOES 15 }

Those who voted in the affirmative are,

Aitken	Collins	Harris	Noble	Sheeley
Backus	Conkling	Hinkley	Odell	Sill
R. J. Baldwin	Crocheron	Hollenbeck	Palmer	Thompson
S. Baldwin	Cumming	Jenkins	Payne	Thorn
Barrow	Cushman	Kirkland	Peters	Townsend
Barton	Dewey	Legg	Richards	Underwood
Baucus	A. A. Dunlop	Littlefield	Robertson	Ward
Benedict	R. Dunlap	Martin	Rose	Ware
Bennett	Edwards	May	Savage	Wart
Bergen	Germain	McGraw	Scott	Weed
Boardman	Gibbs	Mills	Searing	Wilder
Bostwick	Gorham	L. Miller	Sessions	D. P. Wood
Boyd	Graham	Nelson	Seeley	W. H. Wood
Case	Harpur			

67

Those who voted in the negative are,

Baker	Gott	Mos. Hutchinson	Mather	Suffern
Burgess	Hatch	Leigh	Randall	White
Dawson	Howell	Maguire	Rowland	Wilson

15

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorising the Comptroller to loan money from the common school fund to the county of Wayne," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cost	Holdridge	Odell	Sterling
Backus	Cushman	Hoyle	Palmer	Suffern
S. Baldwin	Dawson	Hull	Payne	Thompson
Barrow	Dewey	Mos. Hutchinson	Peters	Thorn
Barton	A. A. Dunlop	Kirkland	Preston	Townsend
Beers	R. Dunlap	Leigh	Richardson	Ward
Benedict	Edwards	Littlefield	Robertson	Ware
Bennett	Ferguson	Martin	Rowland	Wart
Bergen	Fioro	Mather	Savage	Weed
Boardman	Germain	May	Searing	White
Bostwick	Gibbs	McGraw	Sessions	Whitman
Boyd	Gorham	McMurray	Seeley	Wilson
Case	Gott	Mills	Shееley	Wilder
Chesebro	Harpur	L. Miller	Sill	J. E. Willis
Clinton	Harris	Mitchell	Speaker	Williams
Cook	Hatch	Noble	Stephens	D. P. Wood
Conkling	Hinkley			

82

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to provide for carrying out and opening a road from township No. 8 to township No. 10, old military tract, Franklin county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Chesebro	Gleason	Noble	Sterling
Bailey	Cook	Harpur	Palmer	Thompson
Backus	Collins	Howell	Payne	Thorn
S. Baldwin	Conkling	Hull	Peters	Townsend
Barton	Cost	Kirkland	Preston	Ward
Bancus	Cushman	Leigh	Richamson	Ware
Barns	Dawson	Leigh	Robertson	Wart
Benedict	Dewey	Mather	Rose	Weed
Bennett	A. A. Dunlop	May	Rowland	Whipple
Bergen	R. Dunlap	McGraw	Searing	White
Boardman	Edwards	Mills	Sessions	Whitman
Bostwick	Ferguson	L. Miller	Seeley	Wilder
Boyd	Fiero	S. F. Miller	Sheeley	J. E. Willis
Burgess	Freeman	Mitchell	Sill	Williams
Burnett	Germain	Nelson	Stephens	D. P. Wood
Case	Gibbs			

77

For the negative,

Hatch

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's Fund and Retreat," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Cook	Holdridge	Morris	Suffern
Bailey	Cost	Hollenbock	Noble	Thompson
Backus	Cumming	Howell	Odell	Thorn
S. Baldwin	Cushman	Jenkins	Peters	Underwood
Barrow	Dawson	Joy	Preston	Ward

Barton	Dewey	Kinney	Richards	Ware
Bancus	R. Dunlap	Kirkland	Robertson	Wart
Boers	Fiero	Legg	Rowland	Wood
Benedict	Freeman	Leigh	Searing	Whipple
Bennett	Gibbs	Maguire	Sessions	White
Bergen	Gott	Mather	Secley	Wilson
Boardman	Graham	May	Sheeley	Wilder
Bostwick	Harpur	L. Miller	Sill	Williams
Boyd	Harris	S. F. Miller	Speaker	J. S. Wood
Burgess	Hinkley	Mitchell	Stephens	W. H. Wood 75

Those who voted in the negative are,

Conkling	Edwards	Littlefield	Whitman
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Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Sessions,

The hour for recess was indefinitely postponed.

The bill entitled "An act to close a part of the road of the Ravenswood, Hallett's Cove and Williamsburgh turnpike and bridge company, in the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cook	Jenkins	Palmer	Stephens
Bachus	Conkling	Kinney	Payne	Suffern
S. Baldwin	Crocheron	Kirkland	Peters	Townsend
Barrow	Dewey	Legg	Preston	Underwood
Barton	R. Dunlap	Leigh	Richards	Ward
Benedict	Fiero	Littlefield	Richardson	Ware
Bennett	Freeman	Maguire	Robertson	Wart
Bergen	Germain	May	Rowland	Whipple
Bostwick	Gorham	McGraw	Searing	White
Boyd	Gott	McMurray	Sessions	Whitman
Bruce	Graham	Mitchell	Secley	Wilder
Burnett	Harris	Nelson	Sheeley	Williams
Cass	Hinkley	Noble	Sill	W. H. Wood 68
Chesbro	Hull	Odell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act to enable Maria Vincenta Rodrigues, an alien, to hold, grant and convey certain real estate, or interest therein, and to appoint her trustee under the will of Vincenta Rodrigues," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cook	Harpur	Nelson	Townsend
S. Baldwin	Collins	Holdridge	Noble	Underwood
Barrow	Conkling	Hollenbeck	Odell	Ward
Barton	Coat	Mos. Hutchinson	Payne	Ware
Bancus	Crocheron	Jenkins	Preston	Wart
Beers	Cushman	Joy	Richards	Whipple
Benedict	Dawson	Kinney	Robertson	White
Bennett	Dewey	Kirkland	Rowland	Whitman
Bergen	R. Dunlap	Leigh	Scott	Wilson
Boardman	Edwards	Maguire	Searing	Wilder
Boatwick	Fiero	Mather	Seeley	D. Willis
Boyd	Freeman	McGraw	Sill	Williams
Burgess	Gibbs	S. F. Miller	Stephens	D. P. Wood
Burnett	Gorham	Mitchell	Suffern	J. S. Wood
Case	Gott	Morris	Thompson	W. H. Wood
Chesebro	Graham			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend an act entitled 'An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike company a bridge across the Neversink river, and for other purposes,' passed May 26, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 02 }

Those who voted in the affirmative are,

Bailey	Dawson	Kinney	Preston	Townsend
S. Baldwin	Dewey	Kirkland	Richards	Underwood
Barrow	R. Dunlap	Legg	Richardson	Ware
Barton	Freeman	Leigh	Robertson	Wart
Bancus	Gibbs	Maguire	Rowland	Weed
Benedict	Gorham	Mather	Scott	Whipple
Bergen	Gott	McGraw	Searing	White
Burgess	Graham	McMurray	Sessions	Whitman
Burnett	Harpur	Mitchell	Seeley	Wilson
Case	Harris	Nelson	Sharp	Wilder
Cook	Holdridge	Noble	Sheeley	J. E. Willis
Conkling	Hollenbeck	Odell	Speaker	D. P. Wood
Coat	Hull	Palmer	Stephens	W. H. Wood
Crocheron	Jenkins	Payne	Suffern	

69

Those who voted in the negative are,

Boardman Williams

2

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Leigh asked leave of absence for two days, which was granted.

Mr. Dawson asked leave of absence until Thursday next, which was granted.

On motion of Mr. Benedict, two-thirds of the members elected voting in favor thereof, the rule was suspended for the purpose of considering the following resolution:

Resolved, (if the Senate concur,) That the Legislature will adjourn on Friday, the 7th day of April instant, at 2 o'clock p. m., until Monday, the 10th day of April instant, at 7 o'clock p. m.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 65 }
{ NOES 34 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cook	Hatch	Mitchell	Speaker
Aitken	Coat	Holdridge	Morris	Stephens
Bailey	Crocheron	Howell	Noble	Townsend
Baker	Cumming	Joy	Odell	Ward
Barrow	Cushman	Kinney	Palmer	Ware
Barton	Dawson	Kirkland	Richards	Wart
Baucus	H. Dunlap	Leigh	Richardson	Weed
Beers	Edwards	Maguire	Robertson	Whipple
Benedict	Ferguson	Martin	Scott	Whitman
Bostwick	Freeman	Mather	Searing	D. Willis
Burgess	Gorham	McMurray	Seeley	J. E. Willis
Chesbro	Graham	Mills	Sharp	Williams
Clinton	Harris	S. F. Miller	Sill	J. S. Wood 65

Those who voted in the negative are,

Backus	Gonkling	Hall	Preston	Underwood
S. Baldwin	Dewey	Mos. Hutchinson	Rose	White
Bennett	Fiero	Legg	Rowland	Wilson
Bergen	Germain	Littlefield	Sessions	Wilder
Boardman	Gott	McGraw	Sheeley	D. P. Wood
Burnett	Harpur	Nelson	Suffern	W. H. Wood 84
Cass	Hollenbeck	Payne	Thompson	

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. D. P. Wood, two-thirds of the members elected voting in favor thereof, the rule was suspended for him to make the following report:

Mr. D. P. Wood, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to repeal section 10 of chapter 374 of the Laws of 1850," reported in writing, and asked and obtained leave to bring in a bill entitled "An act to provide for the extension of the manufacture of coarse salt by solar evaporation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Ware, two-thirds of the members elected voting in favor thereof, the rule was suspended to receive the following report:

The committee on expenditures of the House reported in favor of the adoption of the following resolution:

Resolved, (if the Senate concur,) That the Clerks of the two Houses be directed to procure, at the expense of the State, one copy of the Revised Statutes (4th edition) of this State, for the use of each member, officer and reporter of the Legislature.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the negative.

{ AYES 12 }
{ NOES 67 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bancus	Cost	Gott	Mather	Ware	
Bostwick	Dawson	Martin	Seeley	D. Willis	12
Chesebro	Ferguson				

Those who voted in the negative are,

Angle	Crocheron	Hatch	Morris	Sumner	
Aitken	Cumming	Hull	Nelson	Townsend	
Bailey	Cushman	Mat. Hutchinson	Odell	Ward	
Baker	Dewey	Mos. Hutchinson	Palmer	Wood	
Backus	R. Dunlap	Jenkins	Payne	Whipple	
Benedict	Edwards	Kinney	Richardson	White	
Bennett	Fiero	Kirkland	Robertson	Wilson	
Bergen	Froeman	Legg	Rose	Wilder	
Boardman	Germain	Maguire	Scott	J. E. Willis	
Burnett	Gibbs	May	Searing	Williams	
Case	Gorham	McGraw	Sessions	D. P. Wood	
Clinton	Graham	McMurray	Sill	J. S. Wood	
Cook	Harpur	Mitchell	Speaker	W. H. Wood	
Conkling	Harris				67

The bill entitled "An act for the relief of Ellen Keney," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	Mitchell	Sumner
Aitken	Conkling	Hollenbeck	Morris	Thorn
Bailey	Cost	Howell	Nelson	Townsend
Baker	Crocheron	Hull	Noble	Underwood
Backus	Cumming	Mat. Hutchinson	Odell	Ward
R. J. Baldwin	Cushman	Mos. Hutchinson	Palmer	Ware

S. Baldwin	Dewey	Jenkins	Payne	Wart
Barrow	R. Dunlap	Kinney	Preston	Weed
Barton	Edwards	Kirkland	Richards	White
Benedict	Ferguson	Legg	Robertson	Whitman
Bennett	Fiero	Littlefield	Rowland	Wilson
Bergen	Freeman	Magnire	Scott	Wilder
Boardman	Germain	Martin	Searing	D. Willis
Boatwick	Gibbs	Mather	Sessions	J. E. Willis
Burgess	Gorham	May	Seeley	Williams
Cass	Gott	McGraw	Sharp	D. P. Wood
Chesebro	Graham	McMurray	Sill	J. S. Wood
Clinton	Harpur	Mills	Speaker	W. H. Wood 99

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Chesebro,
At 7 o'clock p. m., the House adjourned.

WEDNESDAY, APRIL 5, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act in relation to the public schools in the city of Schenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cass	Graham	Morris	Thompson
Bailey	Chesebro	Harpur	Noble	Thorn
Baker	Clinton	Harris	Odell	Townsend
Backus	Cook	Hinkley	Palmer	Underwood
S. Baldwin	Conkling	Hollenbeck	Payne	Ward
Barton	Coit	Hoyle	Richards	Weed
Bascus	Cushman	Mat. Hutchinson	Richardson	Whipple
Beers	Dawson	Mos. Hutchinson	Robertson	White
Benedict	A. A. Dunlap	Jenkins	Rowland	Whitman
Bennett	R. Dunlap	Kinney	Scott	Wilson
Bergen	Ferguson	Kirkland	Searing	Wilder
Boardman	Fiero	Legg	Sessions	Williams
Boatwick	Freeman	Leigh	Seeley	Winne
Boyd	Germain	Littlefield	Sheeley	D. P. Wood
Brust	Gibbs	Mather	Smalley	J. S. Wood
Burgess	Gorham	May	Speaker	W. H. Wood 94
Burnett	Gott	Mitchell	Sniffen	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to authorise the formation of a new election district in the town of Connewango, in the county of Cattaraugus," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Chesebro	Harris	Mitchell	Stephens
Bailey	Clinton	Hatch	Morris	Suffern
Baker	Cook	Hinkley	Odell	Thorn
Backus	Conkling	Hollenbeck	Palmer	Townsend
S. Baldwin	Cumming	Hull	Peters	Underwood
Barton	Dawson	Mat. Hutchinson	Robertson	Ward
Baucus	R. Dunlap	Jenkins	Rowland	Ware
Beers	Fiero	Kirkland	Scott	Wart
Benedict	Freeman	Littlefield	Searing	Whipple
Bennett	Germain	Maguire	Sessions	White
Bergen	Gibbs	May	Seeley	Wilder
Boardman	Gorham	McMurray	Sheeley	J. E. Williams
Burgess	Gott	L. Miller	Speaker	W. H. Wood
Case	Harper			

67

For the negative,

Mos. Hutchinson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the village of Malone to elect a police constable," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harris	McMurray	Thorn
Bailey	Chesebro	Hatch	L. Miller	Townsend
Baker	Clinton	Hinkley	Noble	Underwood
Backus	Cook	Holdridge	Odell	Ward
R. J. Baldwin	Conkling	Hoyle	Palmer	Ware
S. Baldwin	Cumming	Mat. Hutchinson	Robertson	Weed
Barton	Dawson	Mos. Hutchinson	Rowland	Whipple
Baucus	R. Dunlap	Jenkins	Searing	White

Beers	Ferguson	Joy	Sessions	Whitman
Benedict	Fiero	Kirkland	Seeley	Wilson
Bennett	Freeman	Lee	Sheeley	Wilder
Bergen	Germain	Legg	Sill	J. E. Willis
Boardman	Gibbs	Leigh	Speaker	Williams
Bostwick	Gorham	Littlefield	Stephens	D. P. Wood
Burgess	Gott	Magnire	Suffern	W. H. Wood
Burnett	Harpur	McGraw		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize and require the supervisors of the county of Greene to raise money by tax to reimburse the commissioners of highways of the town of Durham, for monies expended by them in repairing bridges in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harris	Nelson	Sterling
Aitken	Chesebro	Hinkley	Noble	Suffern
Bailey	Cook	Holdridge	Odell	Thompson
Baker	Conkling	Hollenbeck	Palmer	Thorn
Backus	Cost	Mat. Hutchinson	Peters	Townsend
R. J. Baldwin	Cumming	Mos. Hutchinson	Randall	Underwood
S. Baldwin	R. Dunlap	Jenkins	Richardson	Ward
Barton	Ferguson	Kinney	Robertson	Ware
Baucus	Fiero	Kirkland	Searing	Weed
Beers	Freeman	Legg	Sessions	White
Benedict	Germain	Leigh	Seeley	Whitman
Bennett	Gibbs	Littlefield	Sharp	Wilson
Bergen	Gleason	Mather	Sheeley	Wilder
Boardman	Gott	McGraw	Sill	J. E. Willis
Bostwick	Graham	L. Miller	Speaker	D. P. Wood
Burgess	Harpur	Morris	Stephens	W. H. Wood
Burnett				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for paying in the capital stock of the Hoffman Grove Association, located at Elmira," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hull	Noble	Thompson
Bailey	Crocheron	Mat. Hutchinson	Odell	Thorn
R. J. Baldwin	Cumming	Mos. Hutchinson	Palmer	Underwood
S. Baldwin	Cushman	Jenkins	Randall	Ward
Baucus	Dawson	Kinney	Richardson	Ware
Beers	R. Dunlap	Kirkland	Robertson	Wart
Benedict	Ferguson	Legg	Searing	Weed
Bennett	Fiero	Leigh	Sessions	Whipple
Bergen	Gibbs	Littlefield	Seeley	White
Bostwick	Gleason	Maguire	Sheeley	Whitman
Brust	Harpur	McGraw	Sill	Wilson
Burnett	Harris	L. Miller	Speaker	Wilder
Chesebro	Hatch	Mitchell	Stephens	J. E. Willis
Clinton	Hinkley	Morris	Sterling	D. P. Wood
Conkling	Holdridge	Nelson	Suffern	W. H. Wood 75

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Brooklyn Female Academy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 88 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	Palmer	Thompson
Bailey	Cushman	Hoyle	Payne	Thorn
Baker	Dawson	Hull	Preston	Townsend
Baucus	R. Dunlap	Mat. Hutchinson	Randall	Underwood
R. J. Baldwin	Ferguson	Mos. Hutchinson	Richards	Ward
S. Baldwin	Fiero	Jenkins	Richardson	Ware
Baucus	Freeman	Kinney	Robertson	Wart
Beers	Germain	Kirkland	Rose	Weed
Benedict	Gibbs	Legg	Rowland	Whipple
Bennett	Gleason	Littlefield	Searing	White
Bergen	Gorham	Maguire	Sessions	Whitman
Boardman	Gott	May	Seeley	Wilson
Bostwick	Graham	McGraw	Sheeley	Wilder
Case	Harpur	McMurray	Sill	J. E. Willis
Chesebro	Hatch	Mitchell	Stephens	Williams
Clinton	Hinkley	Morris	Sterling	J. S. Wood
Cook	Holdridge	Nelson	Suffern	W. H. Wood 88
Cost	Hollenbeck	Odell		

Those who voted in the negative are,

Conkling Speaker

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act to incorporate the Syracuse water works company, passed April 5, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are.

Bailey	Cook	Graham	Mather	Sill
Baker	Conkling	Harpur	May	Speaker
Backus	Cost	Harris	McGraw	Stephens
R. J. Baldwin	Crocheron	Hinkley	McMurray	Suffern
S. Baldwin	Cumming	Hollenbeck	Mitchell	Thompson
Barton	Cushman	Hoyle	Nelson	Thorn
Bancus	R. Dunlap	Hull	Odell	Townsend
Beers	Ferguson	Mat. Hutchinson	Palmer	White
Benedict	Fiero	Mos. Hutchinson	Peters	Wilson
Bergen	Freeman	Jenkins	Preston	D. Willis
Brust	Germain	Kinney	Richardson	Williams
Burgess	Gibbs	Kirkland	Rowland	D. P. Wood
Burnett	Gleason	Legg	Searing	J. S. Wood
Case	Gorham	Maguire	Seeley	W. H. Wood
Clinton				

71

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Auditor of the Canal Department, transmitting a resolution of the Canal Board, and requesting the concurrence of the Legislature therein, which was read and laid upon the table.

The bill entitled "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," coming up for its third reading,

On motion of Mr. R. J. Baldwin, and by unanimous consent,

Said bill was amended by the addition of section four, as follows :

§ 4. Whenever the distance between the point where any person shall enter upon said road and the place of his destination is five miles or less, it shall not be lawful for said company to charge or collect of such person any greater amount of tolls than the proportion of the full toll which such distance bears to the whole length of said road maintained by said company.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Collins	Hoyle	Mitchell	Suffern
Bailey	Conkling	Hull	Nelson	Thompson

Baker	Cost	Mat. Hutchinson	Odell	Thorn
Backus	Cumming	Mos. Hutchinson	Palmer	Ward
R. J. Baldwin	R. Dunlap	Jenkins	Peters	Ware
S. Baldwin	Ferguson	Kinney	Preston	Wart
Barton	Freeman	Kirkland	Robertson	Weed
Beers	Germain	Legg	Rose	Whipple
Benedict	Gibbs	Leigh	Rowland	White
Bergen	Gott	Littlefield	Searing	Whitman
Bostwick	Hall	Littlejohn	Sessions	Wilson
Brust	Harpur	Maguire	Seeley	Wilder
Burgess	Harris	Mather	Sill	Williams
Burnett	Hinkley	May	Speaker	J. S. Wood
Case	Holdridge	McGraw	Stephens	W. H. Wood
Cook	Hollenbeck	McMurray	Sterling	

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Payne,

The bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,'" was taken from the table.

Mr. Payne moved the House recede from its amendments to said bill.

Mr. Hatch moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to recede from its amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 76 }
{ NOES 08 }

Those who voted in the affirmative are,

Bailey	Cumming	Hull	Morris	Speaker
Beckus	Dawson	Mat. Hutchinson	Nelson	Stephens
R. J. Baldwin	R. Dunlap	Mos. Hutchinson	Palmer	Sterling
S. Baldwin	Ferguson	Jenkins	Payne	Suffern
Beers	Freeman	Joy	Peters	Thompson
Bennett	Gibbs	Kinney	Preston	Underwood
Bergen	Gorham	Kirkland	Randall	Ward
Boardman	Gott	Legg	Richardson	Ware
Boyd	Harpur	Maguire	Robertson	Wart
Brust	Harris	Martin	Rose	Whitman
Case	Hatch	Mather	Rowland	Wilson
Chesebro	Hinkley	McGraw	Scott	Wilder
Cook	Holdridge	McMurray	Sessions	Williams
Collins	Hollenbeck	L. Miller	Seeley	D. P. Wood
Cost	Hoyle	Mitchell	Sill	W. H. Wood
Crocheron				

76

Those who voted in the negative are,

Angle	Clinton	Littlejohn	Seeley	Whippie
Burgess	Fiero	Savage		

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have receded from their amendments thereto.

On motion of Mr. Peters,

The bill entitled "An act to amend the general railroad law," was taken from the table.

Mr. Speaker put the question whether the House would agree to the reconsideration of the final vote upon said bill, and it was determined in the affirmative.

{ AYES 76 }
{ NOES 07 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Conkling	Mrs. Hutchinson	Nelson	Sterling
Aitken	Crocheron	Joy	Palmer	Suffern
Bailey	Cumming	Kinney	Peters	Thompson
Baker	Dawson	Kirkland	Preston	Thorn
Backus	R. Dunlap	Legg	Randall	Underwood
S. Baldwin	Ferguson	Leigh	Richards	Ward
Barton	Fiero	Littlejohn	Richardson	Ware
Beers	Freeman	Martin	Robertson	Weed
Benedict	Gibbs	Mather	Rose	Whipple
Bennett	Graham	May	Rowland	Whitman
Bostwick	Harris	McGraw	Savage	Wilson
Boyd	Hinkley	McMurray	Searing	Wilder
Burgess	Holdridge	L. Miller	Sessions	D. Willis
Burnett	Hoyle	Mitchell	Sill	D. P. Wood
Case	Mat. Hutchinson	Morris	Speaker	W. H. Wood
Clinton				

76

Those who voted in the negative are,

Collins	Gott	Hatch	Jenkins	Maguire
Gleason	Harpur			

7

On motion of Mr. Peters,

Said bill was referred to a select committee to report forthwith.

Mr. Speaker announced as such committee Messrs. Cook, Searing, Baker, Richards and Sill.

The bill entitled "An act to incorporate the Great Neck Commercial Dock Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harris	McMurray	Smalley
Aitken	Cook	Hatch	Mitchell	Speaker

Bailey	Cost	Hinkley	Nelson	Sterling
Baker	Crocheron	Hollenbeck	Palmer	Suffern
Beckus	Cumming	Hull	Payne	Thompson
S. Baldwin	Dawson	Mat. Hutchinson	Preston	Thorn
Barton	A. A. Dunlop	Mos. Hutchinson	Randall	Townsend
Baucus	R. Dunlap	Kinney	Richardson	Underwood
Beers	Fiero	Ki kland	Robertson	Ward
Benedict	Freeman	Leigh	Rose	Wart
Bennett	Germain	Littlefield	Rowland	Whitman
Bergen	Gibbs	Maguire	Scott	Wilson
Bostwick	Gleason	Martin	Searing	Wilder
Boyd	Gorham	Mather	Sessions	D. Willis
Burgess	Gott	May	Sheeley	W. H. Wood
Burnett	Graham	McGraw	Sill	79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act allowing the continued use of copartnership names in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 54 }
{ NOES 34 }

Those who voted in the affirmative are,

Beckus	Cook	Hatch	Palmer	Thorn
S. Baldwin	Conkling	Hinkley	Peters	Townsend
Barton	Crocheron	Hull	Preston	Ward
Baucus	Cumming	Mat. Hutchinson	Rose	Wart
Benedict	Dawson	Jenkins	Searing	Weed
Bennett	A. A. Dunlop	Littlejohn	Sessions	Whipple
Bergen	Germain	Maguire	Seeley	Whitman
Bostwick	Gibbs	Martin	Sill	Wilder
Boyd	Gorham	May	Speaker	D. Willis
Brust	Graham	McMurray	Sterling	W. H. Wood
Clinton	Harpur	Odell	Suffern	54

Those who voted in the negative are,

Angle	Chesebro	Harris	McGraw	Sheeley
Bailey	Collins	Hollenbeck	Mills	Thompson
R. J. Baldwin	Cushman	Kinney	Mitchell	Underwood
Beers	Ferguson	Kirkland	Randall	Ware
Burgess	Fiero	Legg	Richardson	Wilson
Burnett	Freeman	Leigh	Rowland	Williams
Case	Gott	Mather	Savage	84

Mr. Burnett moved a reconsideration of the vote just taken.

Mr. Conkling moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 14 }

The ayes and noes being called for by ten members,
Those who voted in the affirmative are,

Angle	Crocheron	Mos. Hutchinson	Mitchell	Sterling
Baker	Cumming	Jenkins	Nelson	Suffern
Beckus	A. A. Dunlop	Joy	Odell	Townsend
S. Baldwin	Ferguson	Kinney	Palmer	Underwood
Barton	Freeman	Kirkland	Preston	Ward
Benedict	Germain	Littlefield	Robertson	Wart
Bennett	Gibbs	Littlejohn	Rose	Weed
Bergen	Gorham	Maguire	Scott	Whipple
Boatwick	Graham	Mallory	Searing	Whitman
Boyd	Harpur	Martin	Sessions	Wilder
Burnett	Hinkley	McGraw	Sill	D. Willis
Case	Hoyle	McMurray	Speaker	D. P. Wood
Clinton	Hull	L. Miller	Stevens	W. H. Wood
Conkling	Mat. Hutchinson			

67

Those who voted in the negative are,

R. J. Baldwin	Gott	Leigh	Randall	Williams
Brust	Hollenbeck	Mather	Sealey	J. S. Wood
R. Dunlap	Legg	May	Thompson	

14

On motion of Mr. Conkling,

Said bill was recommitted to a select committee for amendment,
to report forthwith.

Mr. Speaker announced as such committee Messrs. Burnett,
Conkling and Case.

On motion of Mr. Littlejohn, and by unanimous consent,

Resolved, (if the Senate concur,) That the Legislature concur
with the Canal Board in the reduction of the rates of toll on the
following named articles when transported on the canals of this
State:

	1853.	1854.
On barytes,.....	from 8 mills to 5 mills.	
brick,.....	" 1 "	" $\frac{1}{2}$ "
cheese,.....	" 3 "	" $1\frac{1}{2}$ "
iron ore,.....	" 1 "	" $\frac{1}{2}$ "
pressed straw,.....	" 4 "	" 1 "
saw dust,.....	" 4 "	" $\frac{1}{2}$ "
slate,.....	" 2 "	" 1 "
stone wrought or partly wrought,.....	" 2 "	" $1\frac{1}{2}$ "
stone unwrought,.....	" $1\frac{1}{2}$ "	" 1 "
stone for the manufacture of lime,.....	" 1 "	" $\frac{1}{2}$ "

Ordered, That the Clerk deliver said resolution to the Senate,
and request their concurrence therein.

On motion of Mr. Sessions, and by unanimous consent,

Resolved, That the Auditor of the Canal Department be re-
quested to send to this House forthwith any information in his
possession relating to the claim of \$3,500, on a draft drawn by
John C. Mather Oct. 21, 1853, as found in Assembly bill No. 350.

The bill entitled "An act for the relief of Saratoga county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hatch	McMurray	Sheeley
Bailey	Cost	Hollenbeck	Mills	Sill
Backus	Crocheron	Hull	L. Miller	Speaker
R. J. Baldwin	Cumming	Mat. Hutchinson	S. F. Miller	Stephens
S. Baldwin	Cushman	Mos. Hutchinson	Mitchell	Sterling
Barton	Dewey	Jenkins	Nelson	Suffern
Baucus	A. A. Dunlop	Joy	Odell	Townsend
Beers	R. Dunlap	Kinney	Palmer	Underwood
Benedict	Ferguson	Kirkland	Payne	Ward
Bennett	Fiero	Leigh	Peters	Wart
Bergen	Freeman	Littlefield	Preston	Weed
Boardman	Germain	Littlejohn	Richardson	Whipple
Boatwick	Gibbs	Maguire	Robertson	Whitman
Boyd	Gleason	Mallory	Rose	Wilder
Brust	Gorham	Martin	Rowland	D. Willis
Burgess	Gott	Mather	Scott	Williams
Burnett	Graham	May	Sessions	D. P. Wood
Case	Harpur	McGraw	Seeley	W. H. Wood
Chesebro				

91

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to incorporate the New-York Pure Milk Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 09 }

Those who voted in the affirmative are,

Bailey	Cost	Jenkins	Palmer	Stephens
Baker	Crocheron	Kinney	Payne	Sterling
Backus	Cumming	Legg	Peters	Thorn
S. Baldwin	Cushman	Leigh	Preston	Townsend
Barton	Dewey	Littlejohn	Randall	Underwood
Beers	R. Dunlap	Maguire	Richards	Ward
Benedict	Ferguson	Mallory	Richardson	Weed
Bennett	Fiero	Mather	Robertson	Whipple
Boardman	Freeman	May	Rose	Whitman
Brust	Germain	McGraw	Rowland	Wilson
Burgess	Gleason	McMurray	Scott	Wilder
Case	Gorham	Mills	Searing	D. Willis
Chesebro	Gott	Mitchell	Sessions	J. E. Willis

Clinton	Harpur	Nelson	Seeley	Williams
Collins	Mat. Hutchinson	Noble	Sheeley	Winne
Conkling	Mos. Hutchinson	Odell	Sill	D. P. Wood 80

Those who voted in the negative are,

Aitken	A. A. Dunlop	L. Miller	Ware	W. H. Wood 9
Dawson	Hollenbeck	Suffern	Wart	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the children of Robert Borell, and Sarah his wife, to take and hold real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hollenbeck	Nelson	Suffern
Bailey	Cost	Hull	Noble	Thompson
Backus	Crocheron	Mat. Hutchinson	Odell	Townsend
R. J. Baldwin	Cumming	Mos. Hutchinson	Palmer	Underwood
S. Baldwin	Dewey	Jenkins	Payne	Ward
Bancus	A. A. Dunlop	Legg	Preston	Wart
Beers	R. Dunlap	Leigh	Robertson	Whipple
Bennett	Fiero	Littlefield	Rowland	Whitman
Bergen	Freeman	Littlejohn	Scott	Wilson
Boardman	Germain	Maguire	Sessions	Wilder
Burgess	Gibbs	Mallory	Seeley	J. E. Willis
Case	Gleason	Mather	Sheeley	Williams
Clinton	Gorham	McGraw	Sill	D. P. Wood
Cook	Gott	McMurray	Stephens	W. H. Wood 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the Elmira savings bank," coming up for its third reading,

On motion of Mr. Peters, and by unanimous consent,

Said bill was amended by inserting in the 6th line of the 11th section, after the word "purpose," the words "or depositors."

On motion of Mr. Randall, and by unanimous consent,

Said bill was further amended in the third section by striking out the words "as such;" in the 6th section, by inserting in the 11th line, after the word "thereby," the words "exclusive of buildings;" and in the 7th section, so as not to allow the company to keep on hand a sum exceeding one quarter of the amount in deposit; and by adding thereto as section 15, "The trustees or managers herein named, and their successors, shall respectively, before entering upon the duties of their office, file in the office of the clerk of Chemung county, a bond for the faithful performance

of their duties, the penalty of which bond shall be fixed by the county judge."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hull	Noble	Thompson
Aiken	Cost	Mat. Hutchinson	Palmer	Thorn
Bailey	Crocheron	Mos. Hutchinson	Payne	Townsend
Baker	Cushman	Jenkins	Peters	Underwood
Backus	Dawson	Joy	Preston	Ward
S. Baldwin	Dewey	Kinney	Randall	Ware
Barrow	R. Dunlap	Legg	Richards	Wart
Barton	Edwards	Leigh	Richardson	Weed
Bancus	Ferguson	Littlefield	Robertson	Whipple
Beers	Freeman	Littlejohn	Rowland	White
Benedict	Germain	Mallory	Scott	Whitman
Bennett	Gibbs	Mather	Searing	Wilson
Bergen	Gleason	May	Seeley	Wilder
Boyd	Gorham	McGraw	Sheeley	D. Willis
Brust	Gott	Mills	Sill	J. E. Willis
Burgess	Graham	L. Miller	Speaker	Winne
Case	Harpur	Mitchell	Stephens	D. P. Wood
Cook	Holdridge	Morris	Sterling	W. H. Wood
Collins	Hollenbeck	Nelson	Suffern	

94

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to authorize the town of Oxford to borrow money to aid in the construction of a railroad through said town, and to issue and negotiate bonds for that purpose," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 65 }
{ NOES 31 }

Those who voted in the affirmative are,

Bailey	Cost	Harris	Noble	Stephens
Backus	Cumming	Holdridge	Odell	Sterling
R. J. Baldwin	Dawson	Hollenbeck	Palmer	Thorn
S. Baldwin	Dewey	Jenkins	Payne	Townsend
Barrow	A. A. Dunlap	Kirkland	Peters	Underwood
Barton	Edwards	Leigh	Richards	Ward
Benedict	Ferguson	Littlefield	Robertson	Ware

Bennett	Germain	Littlejohn	Scott	Wart
Bestwick	Gibbs	Mallory	Searing	Whipple
Cass	Gorham	May	Sessions	D. Willis
Clinton	Gott	McGraw	Seeley	J. E. Willis
Cook	Graham	Mitchell	Sill	D. P. Wood
Conkling	Harpur	Morris	Speaker	W. H. Wood 66

Those who voted in the negative are,

Angle	R. Dunlap	Joy	L. Miller	Sheeley
Aitken	Gleason	Kinney	Nelson	Suffern
Baker	Hatch	Legg	Preston	White
Baucus	Hoyle	Maguire	Randall	Whitman
Burgess	Mat. Hutchinson	Mather	Richardson	Wildor
Collins	Mos. Hutchinson	Mills	Rowland	Wine
Cushman				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the Trustees of the Lancaster School Society at Poughkeepsie to convey the real estate owned and held by said society to the trustees of the village of Poughkeepsie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burgess	Graham	Mitchell	Stephens
Aitken	Burnett	Harpur	Morris	Sterling
Bailey	Cass	Holdridge	Noble	Suffern
Baker	Chesebro	Hollenbeck	Palmer	Thompson
Backus	Clinton	Mat. Hutchinson	Peters	Thorn
R. J. Baldwin	Cook	Mos. Hutchinson	Preston	Townsend
S. Baldwin	Conkling	Jenkins	Richards	Ward
Barrow	Cost	Kinney	Richardson	Ware
Barton	Cushman	Kirkland	Robertson	Wart
Baucus	Dawson	Legg	Rowland	Whipple
Beers	Dewey	Leigh	Searing	Whitman
Benedict	A. A. Dunlop	Littlefield	Seeley	J. E. Willis
Bennett	R. Dunlap	Mather	Sheeley	Williams
Bergen	Ferguson	May	Sill	Winne
Bestwick	Gibbs	McGraw	Smalley	D. P. Wood
Boyd	Gleason	McMurray	Speaker	W. H. Wood
Brust	Gott	Mills		

82

For the negative,

L. Miller

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorising a tax upon the taxable inhabitants of the town of Shawangunk for the payment of certain costs and expenses incurred by John M. Schoonmaker and Jacob Clearwater, late overseers of the poor of said town, in four

several suits in the supreme court, while acting as such overseers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 09 }

Those who voted in the affirmative are,

Angle	Boyd	Freeman	Littlefield	Scott
Aithen	Brust	Germain	Mallory	Searing
Bailey	Burgess	Gibbs	Mather	Seeley
Baker	Burnett	Gleason	May	Sheeley
Backus	Case	Gorham	McGraw	Speaker
E. J. Baldwin	Chesebro	Gott	McMurray	Thorn
S. Baldwin	Clinton	Harpur	S. F. Miller	Townsend
Barrow	Cook	Holdridge	Mitchell	Ward
Barton	Conkling	Hollenbeck	Morris	Wart
Baucus	Cost	Mat. Hutchinson	Nelson	Whipple
Beers	Crocheron	Mos. Hutchinson	Noble	White
Benedict	Cumming	Jenkins	Odell	Williams
Bennett	Dewey	Joy	Palmer	Winne
Bergen	A. A. Dunlop	Kinney	Peters	D. P. Wood
Boardman	R. Dunlap	Kirkland	Preston	W. H. Wood
Boswick	Edwards	Legg	Richardson	79

These who voted in the negative are,

Cushman	Hatch	Rowland	Stephens	Wilder
Dawson	Rose	Sill	Suffern	9

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to create a fund in aid of the New-York Juvenile Asylum," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 26 }

Those who voted in the affirmative are,

Angle	Case	Hollenbeck	L. Miller	Sheeley
Bailey	Cook	Mat. Hutchinson	Mitchell	Sill
Baker	Collins	Mos. Hutchinson	Nelson	Speaker
Backus	Cost	Joy	Noble	Stephens
R. J. Baldwin	Cumming	Kinney	Odell	Suffern
S. Baldwin	Dawson	Legg	Palmer	Thompson
Barton	Ferguson	Leigh	Peters	Townsend
Beers	Gibbs	Littlejohn	Randall	Weed
Benedict	Gorham	Maguire	Robertson	Whipple
Bennett	Gott	Mather	Rowland	Wilson
Bergen	Graham	May	Scott	Wilder

Boardman
Bostwick
Burnett

Harpur
Harris
Holdridge

McGraw
McMurray
Mills

Sanders
Seeley

D. P. Wood
W. H. Wood

65

Those who voted in the negative are,

Aitken
Barrow
Bancus
Brust
Burgess
Chesebro

Clinton
Conkling
Dewey
A. A. Dunlop
R. Dunlap

Edwards
Germain
Hatch
Kirkland
Mallory

Morris
Preston
Richardson
Searing
Ward

Ware
Wart
Whitman
J. E. Willis
Winne

26

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act allowing the continued use of copartnership names in certain cases," to report forthwith, reported the same with amendments.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 10 }

Those who voted in the affirmative are,

Aitken
Bailey
Baker
Backus
S. Baldwin
Barrow
Barton
Bancus
Boers
Benedict
Bennett
Bergen
Boardman
Bostwick

Burnett
Case
Chesebro
Clinton
Cook
Conkling
Cost
Crocheron
Cumming
Cushman
Dewey
A. A. Dunlop
Edwards
Ferguson

Germain
Gibbs
Gott
Hoyle
Hull
Mat. Hutchinson
Mos. Hutchinson
Jenkins
Kinney
Kirkland
Littlefield
Maguire
Mallory

McGraw
McMurray
Mitchell
Morris
Nelson
Palmer
Peters
Preston
Robertson
Searing
Seeley
Sill
Speaker

Stephens
Suffern
Thompson
Thorn
Underwood
Ward
Weed
Whipple
Wilder
J. E. Willis
Winne
D. P. Wood
W. H. Wood

67

Those who voted in the negative are,

Burgess
R. Dunlap

Gleason
Hatch

Legg
Leigh

Mather
Randall

Ware
Whitman

10

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Auditor, in answer to the resolution passed this morning, calling upon him for information in relation to drafts drawn by John C. Mather as Canal Commissioner.

The bill entitled "An act for the relief of Mary Moreland, widow of Alexander Moreland, deceased, late of the town of Hyde Park, Dutchess county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 88 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hoyle	Morris	Shi
Bailey	Crocheron	Hull	Nelson	Speaker
Baker	Cumming	Mat. Hutchinson	Noble	Stephens
Backus	Cushman	Mos. Hutchinson	Odell	Suffern
R. J. Baldwin	Dawson	Jenkins	Palmer	Underwood
S. Baldwin	A. A. Dunlop	Kinney	Payne	Ward
Barton	R. Dunlap	Kirkland	Peters	Ware
Baucus	Ferguson	Legg	Preston	Wart
Beers	Freeman	Leigh	Randall	Weed
Benedict	Germain	Littlefield	Robertson	Whipple
Bennett	Gibbs	Littlejohn	Rose	Whitman
Bergen	Gleason	Mallory	Rowland	Wilder
Boardman	Gott	Mather	Scott	J. E. Willis
Bostwick	Graham	May	Searing	Williams
Boyd	Hall	McGraw	Sessions	Winne
Burgess	Harpur	McMurray	Seeley	D. P. Wood
Burnett	Harris	L. Miller	Sheeley	W. H. Wood
Case	Hollenbeck	Mitchell		

For the negative,

Barrow

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the erection and establishment of a workhouse in the county of Erie,' passed April 16, 1852,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hoyle	Nelson	Thorn
Atken	Clinton	Hull	Odell	Townsend
Bailey	Cook	Mat. Hutchinson	Palmer	Underwood
Baker	Conkling	Mos. Hutchinson	Preston	Ward
Backus	Cost	Kinney	Randall	Ware
S. Baldwin	Cushman	Kirkland	Richardson	Wart
Barrow	Dawson	Leigh	Robertson	Whipple
Baucus	Dewey	Magnire	Rowland	White
Beers	A. A. Dunlop	Mallory	Scott	Whitman
Benedict	R. Dunlap	Mather	Searing	Willson

Bennett	Freeman	May	Sessions	Wilder
Bergen	Gibbs	McGraw	Seeley	J. E. Willis
Boardman	Gleason	McMurray	Sill	Williams
Eastwick	Gorham	Mills	Speaker	Winne
Burgess	Gott	Mitchell	Stephens	D. P. Wood
Burnett	Harris	Morris	Sterling	W. H. Wood
Cass	Holdridge	Munroe	Suffern	

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for the appointment of a deputy clerk of the court of general sessions of Kings county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Backus, and by unanimous consent,

Said bill was referred to a select committee to report complete.

"An act to amend the act of incorporation of the village of Oneonta, Otsego county, and to invest the trustees thereof with certain powers not before granted or authorised," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Seeley, and by unanimous consent,

Said bill was referred to a select committee to report complete.

"An act in relation to the court of common pleas for the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Ward, and by unanimous consent,

Said committee were empowered to report the same complete.

The bill entitled "An act to authorise any town in the county of Oswego to subscribe to the capital stock of the Oswego and Troy railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 67 }
{ NOES 24 }

Those who voted in the affirmative are,

Bailey	Cook	Harris	Mitchell	Townsend
Backus	Conkling	Hinkley	Morris	Underwood
R. J. Baldwin	Cost	Hollenbeck	Odell	Ward
S. Baldwin	Crocheron	Hull	Palmer	Ware
Barrow	Cumming	Kinney	Peters	Wart
Barton	Dawson	Kirkland	Robertson	Weed
Benedict	Dewey	Legg	Rose	Whipple
Bennett	A. A. Dunlop	Littlefield	Scott	Wilder
Bergen	Edwards	Littlejohn	Searing	D. Willis
Boardman	Ferguson	Mallory	Sessions	J. E. Willis

Bostwick	Germain	Martin	Sheeley	Winn
Boyd	Gibbs	May	Sill	D. P. Wood
Case	Gleason	McGraw	Thorn	W. H. Wood
Clinton	Gorham			

67

Those who voted in the negative are,

Angle	Collins	Mat. Hutchinson	McMurray	Suffern
Aitken	R. Dunlap	Mos. Hutchinson	Nelson	White
Baker	Gott	Joy	Randall	Whitman
Beers	Harpur	Maguire	Rowland	Williams
Chesebro	Hatch	Mather	Seeley	

24

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Sally Chamberlain Carr," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Crocheron	Hinkley	Odell	Underwood
Bailey	Cumming	Hollenbeck	Palmer	Ward
R. J. Baldwin	Cushman	Mat. Hutchinson	Payne	Ware
S. Baldwin	Dewey	Mos. Hutchinson	Preston	Wart
Barrow	A. A. Dunlop	Kirkland	Richardson	Weed
Barton	R. Dunlap	Littlefield	Robertson	Whipple
Beers	Edwards	Littlejohn	Scott	White
Bennett	Ferguson	Maguire	Searing	Wilson
Bergen	Germain	Mallory	Sessions	D. Willis
Boardman	Gibbs	Martin	Seeley	J. E. Willis
Bostwick	Gleason	May	Sheeley	Williams
Boyd	Gott	McGraw	Speaker	Winn
Chesebro	Harpur	McMurray	Stephens	D. P. Wood.
Clinton	Harris	Mitchell	Thompson	J. S. Wood
Cook	Hatch	Morris	Thorn	W. H. Wood
Cost				

76

Those who voted in the negative are,

Benedict	Conkling	Peters	Whitman	Wilder
Case	Joy	Suffern		

8

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of John C. Van Alstine," coming up for its third reading,

Mr. Sessions moved to recommit said bill to the committee of the whole.

Pending the consideration thereof,

Mr. Speaker, at half-past one o'clock p. m., announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act for the appraisement of canal damages of Herman H. Ehle."

"An act for the appraisement of canal damages of Robert Milligan."

"An act for the appraisement of canal damages of Henry S. Bragdon."

"An act for the appraisement of canal damages of Adam Fritcher."

"An act for the appraisement of canal damages of Aaron Ormer."

"An act for the appraisement of canal damages of Abraham N. Van Buren."

"An act for the appraisement of canal damages of William Watson."

"An act for the appraisement of canal damages of Christopher Hultshover."

"An act for the appraisement of canal damages of Earnest Strasman."

"An act for the appraisement of canal damages of Thomas Wiles."

"An act for the appraisement of canal damages of Horace Barns."

"An act for the appraisement of canal damages of Wealthy Noble."

"An act for the appraisement of canal damages of Delavan Cory."

"An act for the appraisement of canal damages of Ernest F. Groffman."

"An act for the appraisement of canal damages of John Q. A. Wilson."

"An act for the appraisement of canal damages of Frederick Otter."

"An act for the appraisement of canal damages of Wood and Boger."

"An act for the appraisement of canal damages of Cornelius Gordinier."

"An act for the appraisement of canal damages of Gosen P. Vanalstine."

"An act for the appraisement of canal damages of Michael Crow."

"An act for the appraisement of canal damages of Dunlap & Company."

"An act for the appraisement of canal damages of Henry Hulshover."

"An act for the appraisement of canal damages of Andrew P. Tuttle."

"An act for the appraisement of canal damages of Abraham Wood."

"An act for the appraisement of canal damages of James E. Shrader."

"An act for the appraisement of canal damages of John Brandon."

"An act for the appraisement of canal damages of Eliza E. Ehle."

All of which said bills were severally read the first time, and by unanimous consent were also read the second time, and referred to the committee on claims.

Mr. Speaker announced as the business in order, the motion to recommit the bill entitled "An act for the relief of John C. Van Alstine," to the committee of the whole, as said bill came up on its third reading.

Mr. Clinton moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 43 }
{ NOES 43 }

Those who voted in the affirmative are,

Angle	Gleason	Maguire	Palmer	Thorn
S. Baldwin	Gott	Mather	Randall	Ward
Barrow	Graham	May	Savage	Wart
Burgess	Harpur	McGraw	Searing	Whipple
Cook	Harris	Mitchell	Seeley	White
A. A. Dunlop	Hinkley	Morris	Smalley	Wilder
R. Dunlap	Holdridge	Munroe	Sterling	D. Willis
Ferguson	Hollenbeck	Nelson	Thompson	Williams
Gibbs	Kirkland	Odell		

43

Those who voted in the negative are,

Aitken	Brust	Dawson	Kinney	Rowland
Baker	Burnett	Edwards	Leigh	Sheeley
Beckus	Case	Freeman	Littlefield	Suffers
R. J. Baldwin	Chesebro	Germain	Martin	Townsend
Barton	Clinton	Gorham	Mills	Underwood
Beers	Conkling	Hatch	Peters	J. E. Willis

Benedict	Cost	Mat. Hutchinson	Preston	White
Bennett	Crocheron	Mos. Hutchinson	Richards	W. H. Wood
Boardman	Cumming	Joy		48

Mr. Morris moved the reconsideration of the final vote taken to-day upon the bill entitled "An act for the relief of Sally Chamberlain Carr."

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

{ AYES 05 }
{ NOES 72 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

R. Dunlap	Gott	Peters	Rose	Williams	5
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Those who voted in the negative are,

Aitken	Conkling	Mos. Hutchinson	Nelson	Suffern	
Bailey	Crocheron	Kinney	Odell	Thompson	
Backus	Cumming	Ki kland	Palmer	Thorn	
R. J. Baldwin	A. A. Dunlop	Leigh	Payne	Townsend	
S. Baldwin	Edwards	Littlefield	Preston	Underwood	
Barrow	Ferguson	Littlejohn	Randall	Ward	
Barton	Germain	Maguire	Richards	Ware	
Beers	Gibbs	Mallory	Rowland	Wart	
Bennett	Gorham	Mather	Savage	Whipple	
Boardman	Hall	McGraw	Scott	White	
Brust	Harris	McMurray	Searing	Whitman	
Burgess	Hatch	Mills	Seeley	J. E. Willis	
Cass	Hinkley	Mitchell	Smalley	D. P. Wood	
Chacebro	Holdridge	Morris	Sterling	W. H. Wood	73
Cook	Mat. Hutchinson				

By unanimous consent,

Mr. Dawson asked and obtained leave to introduce a bill entitled "An act in relation to official canvassers."

On motion of Mr. Dawson, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to incorporate the Lansingburgh Female Seminary."

The bill entitled "An act to amend an act entitled 'An act establishing free schools throughout the State,' passed March 26, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 73 }
{ NOES 14 }

Those who voted in the affirmative, are,

Angle	Chesebro	Hollenbeck	S. F. Miller	Smalley
Aitken	Clinton	Hoyle	Mitchell	Stephens
Bailey	Cook	Hull	Noble	Thompson
Baker	Conkling	Mat. Hutchinson	Odell	Thorn
Backus	Crocheron	Mos. Hutchinson	Palmer	Townsend
R. J. Baldwin	Edwards	Kinney	Payne	Underwood
S. Baldwin	Freeman	Kirkland	Richards	Ware
Barrow	Germain	Legg	Richardson	Whipple,
Barton	Gibbs	Leigh	Rowland	Whitman
Bennett	Gleason	Littlejohn	Savage	Wilder
Bergen	Gorham	Maguire	Scott	D. Willis
Boardman	Harpur	Mather	Seeley	Williams
Boyd	Harris	May	Sheeley	Winne
Brust	Hinkley	Mills	Sill	W. H. Wood
Case	Holdridge	L. Miller		78

Those who voted in the negative are,

Benedict	Cost	R. Dunlap	McGraw	Wart
Burgess	Cumming	Ferguson	Peters	D. P. Wood
Collins	Dawson	Graham	Rose	14

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Maguire moved a reconsideration of the vote just taken.

Pending consideration thereof,

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess until seven o'clock p. m.

SEVEN O'CLOCK, P. M.

The House again met.

On motion of Mr. Baker,

The subject under consideration at recess was laid upon the table.

The Senate bill entitled "An act to incorporate the Erie county savings bank," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Cost	Holdridge	Mitchell	Townsend
Bailey	Crocheron	Hollenbeck	Odell	Ward
Baker	Cumming	Mat. Hutchinson	Palmer	Ware
S. Baldwin	Cushman	Mos. Hutchinson	Preston	Wart
Barrow	Dawson	Jenkins	Richards	White
Barton	R. Dunlap	Kirkland	Richardson	Whitman
Beers	Edwards	Leigh	Rose	Wilson

Benedict	Ferguson	Littlejohn	Rowland	Wilder
Bennett	Freeman	Maguire	Scott	D. Willis
Bergen	Germain	Martin	Smalley	J. E. Willis
Boardman	Gibbs	McGraw	Speaker	Williams
Brust	Gorham	McMurray	Stephens	Winne
Burgess	Graham	L. Miller	Suffern	W. H. Wood
Conkling	Harpur			

67

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the county judge of the county of Kings, to appoint a crier of the courts of record to be held in and for said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	L. Miller	Snli
Bailey	Conkling	Hoyle	Mitchell	Smalley
Baker	Cost	Hull	Odell	Speaker
Backus	Crocheron	Mat. Hutchinson	Palmer	Stephens
R. J. Baldwin	Cushman	Mos. Hutchinson	Payne	Suffern
S. Baldwin	Dawson	Jenkins	Peters	Townsend
Barrow	R. Dunlap	Kinney	Preston	Underwood
Barton	Edwards	Kirkland	Richards	Wart
Beers	Ferguson	Leigh	Richardson	White
Benedict	Freeman	Littlefield	Rose	Whitman
Bennett	Germain	Maguire	Rowland	Wilson
Bostwick	Gibbs	Martin	Savage	Wilder
Brust	Gleason	Mather	Scott	J. E. Willis
Burgess	Graham	May	Sessions	Williams
Case	Harpur	McGraw	Seeley	Winne
Chesebro	Hatch	McMurray	Sheeley	W. H. Wood

For the negative,

Bergen

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal the act entitled 'An act to regulate the rate of wharfage on lighters in the cities of New-York and Brooklyn,' passed April 13, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 03 }

Those who voted in the affirmative are,

Baker	Crocheron	Holdridge	McGraw	Sheeley
Backus	Cumming	Hollenbeck	McMurray	Sill
S. Baldwin	Cushman	Hoyle	Mitchell	Speaker
Barrow	Dawson	Hull	Morris	Thompson
Barton	A. A. Dunlop	Mat. Hutchinson	Odell	Townsend
Beers	R. Dunlap	Mos. Hutchinson	Palmer	Ward
Benedict	Edwards	Jenkins	Peters	Ware
Bergen	Ferguson	Kirkland	Preston	Wart
Boardman	Germaia	Legg	Randall	White
Boyd	Gibbs	Leigh	Richards	Whitman
Burgess	Gleason	Littlejohn	Richardson	Wilder
Burnett	Gorham	Maguire	Robertson	J. E. Willis
Case	Gott	Martin	Rowland	Williams
Cook	Graham	Mather	Savage	Winne
Conkling	Harpur	May	Scott	D. P. Wood
Cest	Hatch			

77

Those who voted in the negative are,

Suffern Wilson W. H. Wood

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Elmira mechanics' savings bank," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Hoyle	Morris	Suffern
Aitken	Chesebro	Hull	Odell	Thompson
Bailey	Conkling	Mat. Hutchinson	Palmer	Townsend
Baker	R. Dunlap	Mos. Hutchinson	Payne	Underwood
Backus	Edwards	Jenkins	Peters	Ward
S. Baldwin	Ferguson	Kinney	Preston	Ware
Barrow	Germain	Leigh	Randall	Wart
Barton	Gibbs	Littlefield	Richards	White
Beers	Gorham	Littlejohn	Rose	Whitman
Benedict	Gott	Martin	Rowland	Wilder
Bennett	Graham	Mather	Scott	D. Willis
Bergen	Harris	May	Searing	J. E. Willis
Boardman	Hatch	McGraw	Seeley	Williams
Boyd	Hinkley	McMurray	Sill	Winne
Brust	Holdridge	Mills	Smalley	D. P. Wood
Burgess	Hollenbeck	Mitchell	Speaker	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable Ann O. Leary to take, hold and convey certain real estate located in the county of Monroe," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cass	Holdridge	McGraw	Snuffern
Bailey	Chesebro	Hollenbeck	Mitchell	Thompson
Backus	Cook	Howell	Morris	Townsend
S. Baldwin	Conkling	Hoyle	Odell	Underwood
Barton	Crocheron	Hull	Palmer	Ward
Baucus	Cushman	Mos. Hutchinson	Peters	Ware
Beers	Dawson	Jenkins	Richardson	Wart
Benedict	R. Dunlap	Kinney	Rowland	Whipple
Bennett	Ferguson	Kirkland	Scott	White
Bergen	Freeman	Legg	Sheeley	Whitman
Boardman	Germain	Leigh	Sill	J. E. Willis
Boyd	Gibbs	Littlejohn	Speaker	Winne
Brust	Graham	Maguire	Stephens	W. H. Wood
Burgess	Hinkley	Mather		68

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of Anthony Abeel, a commissioner of highways of the town of Ohio, in the county of Herkimer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Harris	McMurray	Thompson
Altken	Collins	Holdridge	Mills	Townsend
Bailey	Conkling	Hollenbeck	L. Miller	Underwood
Baker	Cost	Mat. Hutchinson	Mitchell	Ward
R. J. Baldwin	Crocheron	Mos. Hutchinson	Morris	Ware
S. Baldwin	Cushman	Jenkins	Odell	Wart
Barrow	Dawson	Kinney	Palmer	Weed
Barton	Dewey	Kirkland	Peters	Whipple
Baucus	R. Dunlap	Legg	Preston	White
Beers	Edwards	Leigh	Richardson	Whitman
Benedict	Ferguson	Littlefield	Sheeley	Wilson
Bennett	Freeman	Littlejohn	Sill	Wilder
Bergen	Germain	Maguire	Smalley	D. Willis
Boardman	Gibbs	Martin	Speaker	J. E. Willis
Boyd	Gleason	Mather	Stephens	Williams
Burgess	Graham	May	Sterling	Winne
Cass	Harper	McGraw	Snuffern	W. H. Wood 85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable Elizabeth Turpen to take, hold and convey certain real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

} AYES 76 {
} NOES 00 {

Those who voted in the affirmative are,

Angle	Cushman	Jenkins	Palmer	Suffern
Bailey	Dewey	Kinney	Preston	Thompson
Baker	R. Dunlap	Kirkland	Randall	Townsend
S. Baldwin	Ferguson	Legg	Richardson	Underwood
Barrow	Freeman	Leigh	Rose	Ward
Beers	Germain	Littlefield	Rowland	Ware
Benedict	Gibbs	Littlejohn	Savage	Wart
Bergen	Graham	Maguire	Scott	Whipple
Boyd	Harpur	Martin	Searing	White
Burgess	Harris	Mather	Sheeley	Whitman
Case	Holdridge	May	Sill	Wilder
Chesebro	Hollenbock	Mills	Smalley	J. E. Willis
Conkling	Howell	L. Miller	Speaker	Williams
Cost	Hull	Morris	Stephens	Winne
Crocheron	Mos. Hutchinson	Odell	Sterling	W. H. Wood
Cumming				

76

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Savage,

The bill relating to free schools was taken from the table.

Mr. Backus moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "shall the main question be now put?" and it was determined in the negative.

Debate was had thereon, when

Mr. Clinton moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative.

} AYES 47 {
} NOES 46 {

Those who voted in the affirmative are,

Aitken	Clinton	Gott	Maguire	Searing
Baker	Cook	Graham	McGraw	Sill
Benedict	Cumming	Harpur	Mitchell	Ward
Bennett	Cushman	Hatch	Nelson	Wart

Bergen	Dawson	Hinkley	Peters	Wood
Boardman	R. Dunlap	Holdridge	Preston	Whipple
Burgess	Ferguson	Mos Hutchinson	Randall	Wilson
Burnett	Freeman	Legg	Richards	Winne
Case	Germain	Littlefield	Ross	D. P. Wood
Chesebro	Gleason			

47

Those who voted in the negative are,

Bailey	Cost	Joy	L. Miller	Thompson
Backus	Crocheron	Kinney	Palmer	Townsend
R. J. Baldwin	Gibbs	Kirkland	Richardson	Underwood
S. Baldwin	Gorham	Leigh	Rowland	Ware
Barrow	Hollenbeck	Littlejohn	Savage	White
Barton	Hoyle	Martin	Scott	Whitman
Beers	Hull	Mather	Seeley	Wilder
Boyd	Mat. Hutchinson	May	Smalley	D. Willis
Burst	Jenkins	McMurray	Suffern	W. H. Wood
Conkling				

48

On motion of Mr. R. J. Baldwin,
Leave of absence was granted to Mr. Robertson for the week.

On motion of Mr. D. P. Wood,
Leave of absence was granted to Mr. Munroe for the week.

On motion of Mr. Williams,

At fifteen minutes to ten o'clock p. m., the House adjourned.

THURSDAY, APRIL 6, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

The bill entitled "An act to enlarge the powers of the corporation of the village of Lancaster," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harpur	Nelson	Stephens
Altken	Conkling	Hatch	Noble	Suffern
Bailey	Cost	Hinkley	Odeil	Thompson
Baker	Crocheron	Hollenbeck	Palmer	Thorn
Backus	Dawson	Hoyle	Payne	Townsend
S. Baldwin	A. A. Dunlap	Hull	Peters	Underwood
Barton	R. Dunlap	Jenkins	Preston	Ward
Beaus	Ferguson	Legg	Randall	Ware
Beers	Fiero	Leigh	Rowland	Wart
Benedict	Freeman	Littlefield	Seeley	Whitman

Bennett	Germain	Maguire	Sharp	Wilson
Bergen	Gibbs	Mather	Sheeley	Wilder
Boardman	Gorham	May	Sill	J. E. Willis
Brust	Gott	S. F. Miller	Smalley	Winne
Burgess	Graham	Mitchell	Speaker	D. P. Wood
Burnett	Hall	Munroe		78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Erie and New-York city railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Jenkins	Noble	Townsend
Aitken	Cumming	Joy	Payne	Underwood
Bailey	Cushman	Kinney	Peters	Ward
E. J. Baldwin	Dawson	Kirkland	Preston	Ware
S. Baldwin	R. Dunlap	Legg	Richardson	Wart
Barrow	Ferguson	Leigh	Rose	Weed
Barton	Fiero	Littlejohn	Rowland	Whipple
Bancus	Freeman	Mallory	Savage	White
Beers	Germain	Martin	Seeley	Whitman
Benedict	Gleason	Mather	Sharp	Wilson
Bennett	Gott	McGraw	Sheeley	Wilder
Bergen	Graham	McMurray	Sill	D. Willis
Boardman	Hall	Mills	Smalley	J. E. Willis
Burgess	Harpur	L. Miller	Speaker	Williams
Burnett	Harris	S. F. Miller	Stephens	Winne
Case	Hollenbeck	Mitchell	Sterling	D. P. Wood
Clinton	Hull	Morris	Suffern	W. H. Wood
Conkling	Mat. Hutchinson	Nelson	Thompson	89

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Moseley Hutchinson, on his own motion, was granted leave of absence for the remainder of the session.

The bill entitled "An act to amend the charter of the child charity foundation, in the county of Kings, so as to enable the officers and managers of their orphan asylum to place children surrendered thereto to service," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES. 02 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	Palmer	Suffern
Bailey	Cost	Hollenbeck	Payne	Thompson
Backus	Crocheron	Mat. Hutchinson	Peters	Thorn

S. Baldwin	Cushman	Jenkins	Preston	Ward
Barton	E. Dunlap	Joy	Randall	Ware
Beers	Ferguson	Kinney	Richards	Wart
Benedict	Fiero	Kirkland	Rowland	White
Bennett	Freeman	Littlefield	Scott	Whitman
Bergen	Germain	Martin	Searing	Wilson
Boardman	Gibbs	Mather	Seeley	Wilder
Boetwick	Gorham	May	Sharp	D. Willis
Boyd	Gott	McGraw	Sill	J. E. Willis
Brust	Hall	Mitchell	Smalley	Williams
Burgess	Harpur	Noble	Speaker	Winne
Burnett	Harris	Odell	Stephens	D. P. Wood
Case				

76

These who voted in the negative are,

Dawson Maguire

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the proceedings of the town meeting held in the town of Clarence, in the county of Erie, on the 7th day of March, 1854," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Palmer	Thompson
Bailey	Orocherson	Hull	Peters	Townsend
R. J. Baldwin	Cumming	Mat. Hutchinson	Preston	Underwood
S. Baldwin	R. Dunlap	Jenkins	Rowland	Ward
Barton	Edwards	Kinney	Savage	Ware
Bancus	Ferguson	Kirkland	Scott	Wart
Beers	Fiero	Legg	Sessions	Weed
Benedict	Freeman	Leigh	Seeley	Whipple
Bennett	Germain	Littlefield	Sharp	White
Bergen	Gibbs	Littlejohn	Sheeley	Whitman
Boyd	Gorham	Maguire	Sill	Wilson
Brust	Hall	May	Smalley	Wilder
Burgess	Harpur	McGraw	Speaker	J. E. Willis
Burnett	Hinkley	Mitchell	Stephens	Winne
Case	Holdridge	Morris	Suffern	W. H. Wood
Chesebro	Hollenbeck	Odell		

78

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to incorporate the Young Men's literary association of the city of Williamsburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Mat. Hutchinson	Munroe	Stephens
Aitken	Cost	Mos. Hutchinson	Nelson	Sudern
Bailey	Crocheron	Jenkins	Odell	Thompson
S. Baldwin	Cushman	Kirkland	Palmer	Underwood
Baucus	R. Dunlap	Legg	Payne	Ward
Beers	Ferguson	Leigh	Peters	Ware
Benedict	Fiero	Littlefield	Preston	Wart
Bennett	Freeman	Maguire	Randall	Whipple
Bergen	Germain	Mallory	Richardson	White
Boardman	Gibbs	Martin	Rowland	Whitman
Boatwick	Gleason	May	Searing	Wilson
Brust	Gorham	McGraw	Seeley	Wilder
Burgess	Gott	McMurray	Sharp	D. Willis
Burnett	Graham	Mills	Sheeley	J. E. Willis
Case	Hall	L. Miller	Sill	Winne
Cheebro	Harris	S. F. Miller	Smalley	D. P. Wood
Clinton	Hatch	Mitchell	Speaker	W. H. Wood
Cook	Hull			

87

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to benevolent, scientific and literary associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Dawson	Kinney	Odell	Suffern
Bailey	R. Dunlap	Kirkland	Palmer	Townsend
S. Baldwin	Ferguson	Lee	Payne	Ward
Barrow	Fiero	Legg	Preston	Ware
Barton	Gibbs	Maguire	Randall	Wart
Benedict	Gleason	Mallory	Richardson	Whipple
Bergen	Gorham	Mather	Rowland	White
Burnett	Gott	May	Scott	Whitman
Case	Hall	McGraw	Sharp	Wilson
Cheebro	Harpur	McMurray	Sheeley	J. E. Willis
Collins	Hatch	Mills	Smalley	Williams
Conkling	Mat. Hutchinson	Mitchell	Speaker	Winne
Cost	Mos. Hutchinson	Morris	Stephens	D. P. Wood
Crocheron	Jenkins	Nelson	Sterling	W. H. Wood
Cumming				

71

Those who voted in the negative are,

Burgess	Germain	Hollenbeck	Peters	Seeley	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorising the election of certain officers in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Cumming	Hull	Odell	Suffern
Bailey	Dawson	Mat. Hutchinson	Palmer	Townsend
S. Baldwin	R. Dunlap	Jenkins	Peters	Underwood
Barrow	Ferguson	Kinney	Richards	Ward
Beers	Germain	Kirkland	Richardson	Ware
Benedict	Gibbs	Littlefield	Savage	Whipple
Bergen	Gorham	Maguire	Scott	White
Brust	Gott	Mather	Seeley	Wilder
Burgess	Graham	McGraw	Sharp	D. Willis
Burnett	Hall	McMurray	Sheeley	J. E. Willis
Case	Harpur	L. Miller	Sill	Williams
Conkling	Harris	Mitchell	Speaker	Winne
Crocheron	Hatch	Morris	Stephens	W. H. Wood 65

Those who voted in the negative are,

Hollenbeck Leigh S. F. Miller

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The bill entitled "An act to authorise the Halletts Cove turn-pike and bridge company to borrow \$25,000 to rebuild its bridge," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hoyle	Mitchell	Stephens
Bailey	Cumming	Hull	Munroe	Suffern
S. Baldwin	R. Dunlap	Mat. Hutchinson	Nelson	Thompson
Barton	Edwards	Mos. Hutchinson	Odell	Townsend
Baucus	Ferguson	Jenkins	Palmer	Underwood
Beers	Fiero	Kinney	Peters	Ward
Benedict	Freeman	Kirkland	Preston	Wart
Bennett	Gibbs	Legg	Randall	White
Bergen	Gleason	Leigh	Richards	Whitman
Boardman	Gorham	Littlefield	Richardson	Wilson
Bostwick	Gott	Littlejohn	Rowland	Wilder
Boyd	Graham	Maguire	Scott	D. Willis
Burgess	Hall	Mather	Seeley	J. E. Willis
Burnett	Harpur	May	Sharp	Winne
Case	Hatch	McGraw	Sheeley	D. P. Wood
Chesebro	Hinkley	McMurray	Smalley	W. H. Wood
Conkling	Hollenbeck	Mills	Speaker	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to improve the breed of horses," coming up for its third reading,

Mr. Joy moved to recommit said bill, with instructions to strike out the first section.

Mr. Morris moved to amend said bill by striking out all after the word "course."

Mr. Williams moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 31 }
{ NOES 57 }

Those who voted in the affirmative are,

Aitken	R. Dunlap	Littlejohn	Preston	Stephens
Barrow	Edwards	May	Savage	Ward
Baucus	Ferguson	Mills	Searing	Wart
Burgess	Gott	Morris	Sheeley	Weed
Chesebro	Graham	Odell	Smalley	Wilson
Conkling	Harris	Peters	Speaker	D. Willis
Dawson				

81

Those who voted in the negative are,

Angle	Collins	Mat. Hutchinson	L. Miller	Suffern
Bailey	Cushman	Jenkins	S. F. Miller	Townsend
Backus	Fiero	Joy	Mitchell	Underwood
R. J. Baldwin	Freeman	Kirkland	Noble	Ware
S. Baldwin	German	Legg	Randall	Whipple
Barton	Gorham	Leigh	Richards	White
Beers	Hall	Littlefield	Richardson	Wilder
Benedict	Harpur	Maguire	Rose	J. E. Willis
Boardman	Hatch	Mallory	Rowland	Williams
Burnett	Hollenbeck	Martin	Sill	Winne
Case	Hoyle	Mather	Sterling	W. H. Wood
Clinton	Hull			

87.

Mr. Richards moved a reconsideration of the vote just taken.

On motion of Mr. Clinton,

Said motion was laid upon the table.

By unanimous consent,

Mr. J. E. Willis, from the select committee to which was referred the bill entitled "An act to authorise the town of Leroy to raise two hundred and fifty dollars in addition to that now allowed to be raised by law," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. J. E. Willis, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act to confirm the election or designation of David Babcock, a justice of the sessions, in and for the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
 { NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Mat. Hutchinson	S. F. Miller	Townsend
Aitken	Crocherson	Jenkins	Mitchell	Ward
Bailey	Cumming	Kinney	Nelson	Ware
S. Baldwin	Cushman	Kirkland	Odell	Wart
Barrow	Dewey	Legg	Palmer	Whipple
Barton	R. Dunlap	Leigh	Richardson	White
Bancus	Fiero	Littlejohn	Rowland	Whitman
Beers	Freeman	Maguire	Savage	Wilson
Benedict	Germain	Martin	Sessions	Wilder
Boatwick	Gott	Mather	Sheeley	D. Willis
Boyd	Hall	May	Speaker	J. E. Willis
Burgess	Harpur	McGraw	Stephens	Williams
Burnett	Harris	McMurray	Sterling	Winne
Case	Holdridge	Mills	Suffern	W. H. Wood
Chesebro	Hollenbeck			

72

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt certain firemen from two days highway labor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative are,

Angle	Crocherson	Hatch	Morris	Suffern
Aitken	Cumming	Holdridge	Nelson	Thompson
Bailey	Cushman	Hull	Noble	Townsend
R. J. Baldwin	Dawson	Mat. Hutchinson	Odell	Underwood
S. Baldwin	R. Dunlap	Jenkins	Palmer	Ward
Barrow	Edwards	Kinney	Preston	Ware
Beers	Ferguson	Kirkland	Richards	Weed
Benedict	Fiero	Legg	Rose	Whipple
Bergen	Freeman	Maguire	Rowland	Whitman
Boatwick	Germain	Mather	Savage	Wilson
Brust	Gleason	McGraw	Sheeley	Wilder
Burgess	Gorham	McMurray	Sill	J. E. Willis
Case	Gott	L. Miller	Speaker	Williams

Chesebro	Hall	S. F. Miller	Stephens	Wingo
Conkling	Harpur	Mitchell	Sterling	W. H. Wood
Cost				

76

Those who voted in the negative are,

Boardman	Gibbs	2
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill relating to the common schools in the village of Lookport, coming up for its third reading,

On motion of Mr. R. Dunlap,

Said bill was recommitted to the committee of the whole.

The bill entitled "An act to incorporate the Hebrew female benevolent society of the congregation Shearith Israel, in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hoyle	L. Miller	Steffens
Bailey	Conkling	Hull	S. F. Miller	Thompson
E. J. Baldwin	Crocheron	Mat. Hutchinson	Mitchell	Townsend
S. Baldwin	Cumming	Jenkins	Morris	Underwood
Barton	Cushman	Joy	Noble	Ward
Beers	R. Dunlap	Kinney	Odell	Ware
Benedict	Edwards	Kirkland	Palmer	Wart
Bennett	Ferguson	Legg	Payne	Weed
Bergen	Fiero	Littlefield	Preston	Whipple
Boardman	Freeman	Littlejohn	Randall	Whitman
Bostwick	Gott	Magnire	Rowland	Wilson
Boyd	Hall	Mather	Savage	Wilder
Brust	Harpur	May	Sheeley	J. E. Williams
Burgess	Hatch	McGraw	Speaker	Williams
Case	Holdridge	McMurray	Sterling	Wingo
Chesebro				

76

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the sales of real estate to be published in Assembly districts," coming up for its third reading,

On motion of Mr. Palmer,

Said bill was recommitted, with instructions to strike out "Assembly districts" and insert "counties."

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the Buffalo trust company,' passed April 16, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative are.

Angle	Brust	Germain	Littlejohn	Speaker
Bailey	Burgess	Gleason	Maguire	Suffern
Backus	Burnett	Gott	McGraw	Ware
B. J. Baldwin	Clinton	Hall	Morris	Wart
S. Baldwin	Collins	Harpur	Palmer	Weed
Barrow	Conkling	Hatch	Payne	Whipple
Beers	Crocheron	Holdridge	Peters	Whitman
Benedict	Cumming	Mat. Hutchinson	Preston	Wilson
Bennett	R. Dunlap	Jenkins	Randall	Wilder
Bergen	Edwarda	Kinney	Rowland	J. E. Willis
Boardman	Ferguson	Kirkland	Savage	Winne
Bostwick	Fiero	Legg	Sessions	D. P. Wood
Boyd	Freeman	Littlefield	Sill	W. H. Wood 65

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit :

"An act to authorise the commissioners of highways in the town of Ridgway, in the county of Orleans, to resurvey part of a certain State road in said town."

"An act to provide for improving the Sacandaga river."

"An act to authorise the imposition of a tax upon certain lands in Herkimer and Hamilton counties, to prov idemeans for completing a road from Morehouse to Salisbury."

"An act to incorporate the Oneida plank road company."

"An act to amend the charter of the city of Utica."

"An act to authorise the village of Port Jervis to hold an election to choose its charter officers."

"An act relative to assessors in the town of Oswegatchie, in the county of St. Lawrence."

"An act to provide for the education of the children of the Indians of the Onondaga reservation, in the county of Onondaga, in this State."

The Senate bill entitled "An act relating to county superintendents of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, are,

Aitken	Case	Harpur	G. Miller	Stephens
Bailey	Chesebro	Hatch	S. F. Miller	Sterling
Backus	Conkling	Hollenbeck	Mitchell	Suffern
R. J. Baldwin	Cost	Hoyle	Noble	Townsend
S. Baldwin	Crocheron	Mat. Hutchinson	Odell	Ward
Barton	Cumming	Jenkins	Palmer	Ware
Baucus	Cushman	Joy	Peters	Wart
Beers	Dawson	Kinney	Preston	Whipple
Benedict	R. Dunlap	Kirkland	Randall	Whitman
Bennett	Edwards	Legg	Rowland	Wilson
Bergen	Ferguson	Leigh	Savage	Wilder
Boardman	Fiero	Mallory	Sharp	D. Willis
Bostwick	Freeman	Mather	Sheeley	J. E. Willis
Boyd	Germain	May	Sill	Winne
Brust	Gibbs	McGraw	Smalley	D. P. Wood
Burgess	Gorham	McMurray	Speaker	W. H. Wood
Burnett	Hall	Mills		

88

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act in relation to the office of the keeper of the poorhouse in the county of Orleans," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hull	Noble	Townsend
Bailey	Conkling	Mat. Hutchinson	Odell	Underwood
Backus	Cost	Jenkins	Palmer	Ward
R. J. Baldwin	Crocheron	Kinney	Preston	Ware
S. Baldwin	Dawson	Kirkland	Randall	Wart
Barrow	Fiero	Legg	Rowland	Weed
Baucus	Freeman	Mallory	Savage	Whipple
Benedict	Germain	Mather	Sheeley	Wilson
Bergen	Gibbs	May	Sill	Wilder
Bostwick	Gott	McGraw	Speaker	D. Willis
Brust	Harpur	McMurray	Stephens	J. E. Willis
Burgess	Hatch	S. F. Miller	Sterling	Winne
Case	Hollenbeck	Mitchell	Suffern	D. P. Wood
Chesebro	Hoyle	Nelson		

68

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act relinquishing title and ceding jurisdiction over certain lands in the city of Buffalo, to be occupied as a site for a beacon light, &c.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hall	McMurray	Townsend
Aitken	Clinton	Harpur	Mills	Underwood
Bailey	Conkling	Hinkley	Noble	Wade
Backus	Cost	Holdridge	Palmer	Ward
R. J. Baldwin	Crocheron	Hollenbeck	Payne	Ware
S. Baldwin	Cumming	Hoyle	Preston	Wart
Barrow	Cushman	Hull	Richardson	Weed
Barton	Dawson	Mat. Hutchinson	Rowland	Whipple
Beers	R. Dunlap	Jenkins	Savage	Wilson
Benedict	Edwards	Kinney	Sharp	Wilder
Bergen	Ferguson	Kirkland	Sill	D. Willis
Boardman	Fiero	Legg	Smalley	J. E. Willis
Boatwick	Freeman	Mallory	Speaker	Williams
Brust	Germain	Martin	Stephens	Winne
Burgess	Gibbs	Mather	Sterling	D. P. Wood
Burnett	Gorham	May	Suffern	J. S. Wood
Case	Gott	McGraw	Thompson	W. H. Wood 85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act directing the copies and certificates of Association of banks to be transferred from the Secretary's office to the Banking department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hinkley	Mitchell	Suffern
Aitken	Crocheron	Hollenbeck	Noble	Thompson
Bailey	Cumming	Hoyle	Odell	Thorn
Baker	Cushman	Hull	Palmer	Townsend
Backus	Dawson	Mat. Hutchinson	Payne	Underwood
R. J. Baldwin	R. Dunlap	Kinney	Preston	Ward
S. Baldwin	Edwards	Kirkland	Randall	Ware
Barrow	Ferguson	Legg	Richardson	Wart
Barton	Fiero	Maguire	Roe	Whipple
Bancus	Freeman	Mallory	Rowland	White
Beers	Germain	Martin	Savage	Whitman
Benedict	Gibbs	Mather	Scott	Wilson
Bergen	Gleason	May	Seeley	Wilder
Brust	Gott	McGraw	Sheeley	J. E. Willis
Burgess	Graham	McMurray	Sill	Williams
Case	Harpur	G. Miller	Smalley	Winne
Chesebro	Harris	L. Miller	Speaker	D. P. Wood
Clinton	Hatch	S. F. Miller	Stephens	W. H. Wood
Conkling				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act for the better regulation of opening streets in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Conkling	Holdridge	Noble	Saffern
Backus	Cost	Hoyle	Odell	Thompson
R. J. Baldwin	Crocheron	Hull	Palmer	Townsend
S. Baldwin	Cushman	Mat. Hutchinson	Payne	Underwood
Barrow	R. Dunlap	Kinney	Peters	Ward
Barton	Ferguson	Kirkland	Preston	Ware
Baucus	Fiero	Legg	Randall	Weed
Beers	Germain	Maguire	Richardson	Whitman
Benedict	Gibbs	Mallory	Rowland	Wilson
Bennett	Gleason	May	Savage	Wilder
Bergen	Gorham	McGraw	Seeley	D. Willis
Boardman	Gott	McMurray	Sheeley	J. E. Willis
Brust	Hall	Mills	Sill	Williams
Burnett	Harpur	G. Miller	Smalley	Winne
Cass	Harris	L. Miller	Speaker	D. P. Wood
Clinton	Hatch	S. F. Miller	Stephens	W. H. Wood
Cook	Hinkley	Mitchell	Sterling	

84

For the negative,

Cumming

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act for the relief of Richard Niles," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Clinton	Hall	McMurray	Speaker
Aitken	Conkling	Harpur	Mills	Stephens
Bailey	Crocheron	Hinkley	G. Miller	Sterling
R. J. Baldwin	Cushman	Holdridge	L. Miller	Saffern
S. Baldwin	Dawson	Hollenbeck	Mitchell	Thompson
Barrow	R. Dunlap	Mat. Hutchinson	Noble	Underwood
Barton	Edwards	Jenkins	Odell	Ward

Baer	Ferguson	Kinney	Palmer	White
Beers	Fiero	Kirkland	Payne	Whitman
Benedict	Freeman	Leigh	Richardson	Wilson
Bennett	Germain	Maguire	Searing	Wilder
Bergen	Gibbs	Mallory	Seeley	D. Willis
Brust	Gleason	Martin	Sharp	Williams
Burnett	Gorham	Mather	Shreeley	Winne
Case	Gott	May	Sill	D. P. Wood
Chesebro	Graham	McGraw	Smalley	W. H. Wood 80

Those who voted in the negative are,

S. F. Miller	Morris	Peters	Rowland	Ware 6
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Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendments.

The Senate bill entitled "An act to release the interest of the State, in certain real estate, of which James Breman died seized, to Eliza R. Breman, his widow," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative; a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 96 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Jenkins	Odell	Suffern
Aitken	Cumming	Joy	Palmer	Thompson
Bailey	Cushman	Kinney	Payne	Townsend
Backus	R. Dunlap	Kirkland	Peters	Underwood
R. J. Baldwin	Ferguson	Legg	Preston	Ward
S. Baldwin	Freeman	Leigh	Randall	Ware
Barrow	Germain	Littlejohn	Richardson	Wart
Barton	Gibbs	Maguire	Ross	Wead
Baucus	Gorham	Mallory	Rowland	Whipple
Beers	Hall	Martin	Savage	White
Benedict	Harpur	Mather	Scott	Whitman
Bennett	Harris	May	Seeley	Wilson
Bergen	Hatch	McGraw	Sharp	Wilder
Boardman	Hinkley	McMurray	Shreeley	D. Willis
Boyd	Holdridge	Mills	Sill	J. E. Willis
Burgess	Hollenbeck	G. Miller	Smalley	Williams
Case	Hoyle	Mitchell	Speaker	Winne
Chesebro	Hull	Morris	Stephens	D. P. Wood
Clinton	Mat. Hutchinson	Noble	Sterling	W. H. Wood 96
Cost				

For the negative,

Conkling	1
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend the Statutes in relation to proof of wills," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cost	Hollenbeck	Mitchell	Suffern
Aitken	Crocheron	Hull	Nelson	Thompson
Bailey	Cumming	Mat. Hutchinson	Noble	Townsend
R. J. Baldwin	Cushman	Jenkins	Palmer	Underwood
S. Baldwin	Dawson	Joy	Payne	Ward
Barrow	R. Dunlap	Kinney	Peters	Wart
Barton	Ferguson	Kirkland	Preston	Weed
Beers	Fiero	Legg	Randall	Whipple
Benedict	Germain	Mallory	Richardson	White
Bennett	Gibbs	Martin	Rowland	Whitman
Bergen	Gorham	Mather	Savage	Wilson
Burgess	Gott	May	Seeley	Wilder
Burnett	Graham	McGraw	Sill	D. Willis
Case	Hall	McMurray	Smalley	J. E. Willis
Chesebro	Harpur	Mills	Speaker	Winne
Clinton	Harris	G. Miller	Stephens	D. P. Wood
Conkling	Hinkley	S. F. Miller	Sterling	W. H. Wood 85

For the negative,

Williams

1

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act authorising the president and trustees of the village of Binghamton, to take stock in the Utica and Binghamton railroad company," coming up for its third reading,

Mr. Burnett moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 69 }
{ NOES 32 }

Those who voted in the affirmative are,

Bailey	Dawson	Littlejohn	Palmer	Sterling
Beckus	Edwards	Mallory	Peters	Thompson
R. J. Baldwin	Ferguson	Martin	Richards	Thorn
Benedict	Germain	May	Rose	Townsend
Bennett	Gibbs	McGraw	Savage	Underwood
Bergen	Hall	McMurray	Scott	Ward
Boyd	Harpur	Mills	Searing	Wart
Case	Harris	G. Miller	Sessions	Weed
Clinton	Hinkley	S. F. Miller	Seeley	Whipple

Conkling	Jenkins	Mitchell	Shesley	Wilder
Cost	Kirkland	Morris	Sill	J. E. Willis
Crocheron	Legg	Nelson	Smalley	Winne
Cumming	Leigh	Noble	Speaker	W. H. Wood
Cushman	Littlefield	Odell	Stephens	89

Those who voted in the negative are,

Angle	Collins	Hollenbeck	Payne	Suffern
Aitken	R. Dunlap	Hoyle	Preston	Ware
S. Baldwin	Fiero	Hull	Randall	White
Barton	Gleason	Hinkley	Richardson	Whitman
Boardman	Gorham	Maguire	Rowland	Wilson
Burnett	Gott	Mather	Sharp	J. S. Wood
Chesebro	Hatch			92

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara county savings bank,' passed April 10, 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Odell	Thompson
Bailey	Cost	Mat. Hutchinson	Palmer	Thorn
Backus	Crocheron	Jenkins	Payne	Townsend
Barton	Cumming	Kinney	Peters	Underwood
Baucus	Cushman	Kirkland	Preston	Ward
Benedict	Dawson	Legg	Randall	Ware
Bennett	R. Dunlap	Leigh	Richards	Wart
Bergen	Edwards	Littlefield	Rowland	Weed
Boardman	Ferguson	Littlejohn	Savage	Whipple
Bostwick	Fiero	Mallory	Sessions	White
Boyd	Freeman	Martin	Seeley	Whitman
Brust	Germain	May	Sharp	Wilson
Burgess	Gibbs	McGraw	Sill	Wilder
Burnett	Gleason	McMurray	Smalley	J. E. Willis
Case	Gorham	Mills	Speaker	Williams
Chesebro	Gott	G. Miller	Stephens	Winne
Clinton	Hall	S. F. Miller	Sterling	D. P. Wood
Cook	Harris	Mitchell	Suffern	W. H. Wood
Collins	Hinkley	Morris		98

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the board of supervisors of Jefferson county, to levy a tax of \$250 annually on the town of Leroy, for highway purposes in that town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Jenkins	Nelson	Stephens
Bailey	Clinton	Kinney	Odell	Suffern
Backus	Collins	Kirkland	Palmer	Thompson
R. J. Baldwin	Conkling	Legg	Payne	Ward
S. Baldwin	Crocheron	Leigh	Peters	Wart
Barrow	Cumming	Littlefield	Randall	Whipple
Barton	Dawson	Lozier	Richards	White
Bancus	R. Dunlap	Maguire	Richardson	Whitman
Beers	Ferguson	Mallory	Rowland	Wilson
Bennett	Fiero	Mather	Savage	Wilder
Bergen	Germain	May	Searing	D. Willis
Boardman	Gibbs	McGraw	Seeley	J. E. Willis
Boetwick	Hatch	McMurray	Sharp	Williams
Boyd	Holdridge	Mills	Sheeley	Winne
Brust	Hoyle	S. F. Miller	Sill	D. P. Wood
Burgess	Hull	Mitchell	Speaker	W. H. Wood
Case	Mat. Hutchinson	Morris		83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Joy, on his own motion, was granted leave of absence until next Tuesday.

Mr. Richards, on his own motion, was granted leave of absence until next Tuesday.

The bill entitled "An act to amend the charter of the village of Horseheads, in Chemung county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 89 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Jenkins	Odell	Stephens
Bailey	Cumming	Kinney	Palmer	Sterling
Backus	Cushman	Kirkland	Payne	Suffern
R. J. Baldwin	Dawson	Legg	Peters	Thompson
Barrow	Ferguson	Leigh	Preston	Townsend
Barton	Fiero	Littlefield	Randall	Underwood
Bancus	Freeman	Littlejohn	Richardson	Ward
Beers	Germain	Maguire	Robertson	Ware
Benedict	Gleason	Mather	Rowland	Wart
Bennett	Gorham	May	Savage	White
Bergen	Gott	McGraw	Scott	Whitman
Boardman	Graham	McMurray	Seasone	Wilson

Bastwick	Harper	L. Miller	Seeley	Wilder
Brust	Harris	S. F. Miller	Sharp	J. E. Willis
Burgess	Holdridge	Mitchell	Sheeley	Winne
Case	Hoyle	Morris	Sill	D. P. Wood
Clinton	Hull	Nelson	Smalley	W. H. Wood
Conkling	Mat. Hutchinson	Noble	Speaker	

89

For the negative,

Burnett

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of William S. Winslow to William S. Waterman," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	McGraw	Speaker
Bailey	Crocheron	Holdridge	Mills	Stephens
S. Baldwin	Cumming	Hollenbeck	Mitchell	Sterling
Barton	Dawson	Hoyle	Morris	Suffern
Banens	R. Dunlap	Hall	Nelson	Townsend
Bears	Ferguson	Mos. Hutchinson	Palmer	Underwood
Benedict	Fiero	Jenkins	Preston	Ware
Bennett	Freeman	Kinney	Richards	White
Bergen	Germann	Kirkland	Richardson	Whitman
Boardman	Gibbs	Legg	Rowland	Wilson
Bostwick	Gleason	Leigh	Searing	Wilder
Brust	Gorham	Littlefield	Sharp	J. E. Willis
Burgess	Graham	Littlejohn	Sheeley	Winne
Case	Harper	Maguire	Smalley	W. H. Wood
Chesbro	Hatch			

73

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from John D. Russ, corresponding secretary of the prison association of New-York, transmitting the ninth annual report of said association, which was read and referred to the committee on State prisons.

Mr. Hoyle offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That ten copies extra of the report of the prison association of New-York, be printed for the use of each member of this Legislature, and two thousand copies for the said association.

Ordered, That said resolution be referred to the committee on public printing.

The bill entitled "An act to amend the act entitled 'An act regulating highways and bridges in the counties of Suffolk, Kings and Queens,' passed Feb. 23, 1830," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	S. F. Miller	Thompson
Bailey	Dawson	Hull	Mitchell	Townsend
R. J. Baldwin	R. Dunlap	Mat. Hutchinson	Morris	Underwood
S. Baldwin	Edwards	Mos. Hutchinson	Nelson	Ward
Baucus	Ferguson	Jenkins	Odell	Ware
Beers	Fiero	Kirkland	Palmer	Wart
Benedict	Freeman	Legg	Peters	Whipple
Bennett	Germain	Leigh	Preston	White
Bergen	Gibbs	Littlefield	Randall	Whitman
Bestwick	Gorham	Littlejohn	Richardson	Wilson
Boyd	Gott	Maguire	Rowland	Wilder
Burgess	Graham	Martin	Scott	D. Willis
Case	Hall	Mather	Seeley	J. E. Willis
Chesebro	Harpur	May	Smalley	Winne
Conkling	Harris	McGraw	Speaker	D. P. Wood
Cost	Hatch	McMurray	Stephens	W. H. Wood
Crocheron	Hinkley	Mills	Suffern	

84

For the negative,

Clinton

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof, in the town of Greenbush," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	R. Dunlap	Holdridge	Nelson	Stephens
Aitken	Edwards	Hoyle	Odell	Thompson
Baker	Ferguson	Hull	Palmer	Townsend
S. Baldwin	Fiero	Jenkins	Peters	Underwood
Baucus	Freeman	Kinney	Randall	Ward
Beers	Germain	Kirkland	Richards	Wart
Bennett	Gibbs	Legg	Richardson	Weed
Bergen	Gleason	Leigh	Savage	Whipple
Brust	Gorham	Littlefield	Scott	White
Burgess	Gott	Littlejohn	Sessions	Whitman
Case	Graham	Maguire	Seeley	Wilson
Conkling	Hall	May	Sharp	Wilder
Cost	Harpur	McGraw	Shreeley	D. Willis
Crocheron	Harris	Mills	Sill	J. E. Willis
Cumming	Hatch	Mitchell	Smalley	Winne
Cushman	Hinkley	Morris	Speaker	W. H. Wood

80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the more efficient inspection and adjustment of weights and measures in the city and county of New-York, and to establish a uniform size and weight of bread in said city," coming up for its third reading,

On motion of Mr. Conkling,

Said bill was recommitted for amendment.

The bill entitled "An act in relation to official canvassers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hinkley	Mitchell	Suffers
Aitken	Clinton	Holdridge	Morris	Thompson
Bailey	Cook	Nat. Hutchinson	Nelson	Thorn
Baker	Conkling	Jenkins	Odell	Townsend
R. J. Baldwin	Cost	Kinney	Palmer	Ward
S. Baldwin	Crocheron	Kirkland	Peters	Ware
Barton	Cumming	Legg	Preston	Wart
Baucus	Cushman	Leigh	Richards	Weed
Beers	Dawson	Littlefield	Rowland	Whipple
Benedict	Edwards	Littlejohn	Savage	White
Bennett	Ferguson	Maguire	Sessions	Wilson
Bergen	Fiero	Mallory	Seeley	Wilder
Boardman	Germain	Martin	Sharp	D. Willis
Bostwick	Gibbs	Mather	Sheeley	J. E. Willis
Boyd	Gleason	May	Sill	Williams
Brust	Gorham	McGraw	Smalley	Winne
Burgess	Hall	Mills	Speaker	D. P. Wood
Burnett	Harpur	L. Miller	Sterling	W. H. Wood
Case	Harris	S. F. Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to amend the 153d section of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act appropriating money to Genesee college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to provide for the payment of a judgment rendered in the supreme court of this State, in favor of Abijah Fitch, Thomas

M. Hunt and Henry H. Cooley against Munson J. Lockwood, agent of the Sing Sing prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker announced the business in order, the presentation of petitions.

Mr. Ward moved that the time of adjournment be extended until the present order of business be gone through with.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative.

Mr. Richardson presented the petition of sundry citizens of Onondaga county; also of citizens of Herkimer, praying a resolution requesting Congress to pass a law granting 160 acres of land to all soldiers who served in the war of 1812, which were read and referred to the committee on the militia and public defence.

Mr. Benedict presented the petition of sundry inhabitants of Whitestown, for the repeal of the law authorising residents working out their highway tax on plank roads, which was read and referred to the committee on roads and bridges.

Mr. Germain presented two several petitions of sundry citizens of Buffalo, praying that certain purchases of lands in said city for market grounds by the late common council thereof, be legalised, and that said city be authorised to borrow money to improve the same, which were read and referred to the committee on the incorporation of cities and villages.

Mr. Harpur presented the petition of the railroad company and others, of the village of Cheuango Forks, in Broome county, asking for the passage of a law authorising the commissioners of highways of the town of Barker to lay out or widen the highway through said village, which was read and referred to the committee on roads and bridges.

Mr. Bergen presented three several petitions in favor of Flatbush avenue extension; also a remonstrance against the same, which were read and referred to the committee on roads and bridges.

Mr. Kirkland presented the petition of 40 citizens of Perrysburgh, Cattaraugus county, for a bridge across the Hudson river at Albany, which was read and referred to the committee on roads and bridges.

Mr. S. Miller presented four several petitions of inhabitants of St. Lawrence county, for a revisal of the plank road law, passed April 15, 1853, which were read and referred to the committee on roads and bridges.

Mr. Gibbs presented the petition of the district attorney of Livingston county, to amend the Revised Statutes, which was read and referred to the committee on the judiciary.

Mr. Case presented the petition of Patrick Cummins, for a change of name, which was read and referred to the committee on the judiciary.

Mr. R. J. Baldwin presented petitions of citizens of Greene, Chenango county, for a law to enable that town to subscribe to the stock of the Binghamton and Utica railroad, which was read and laid on the table.

Mr. Gibbs presented three several remonstrances against the election of a police justice in the town of North Dansville, which were read and laid on the table.

Mr. D. P. Wood presented a petition for a law to prevent the reissuing of bills by old safety fund banks, which was read and laid on the table.

Mr. Legg presented the petitions of citizens of Tioga county, asking for the passage of a resolution by this Legislature recommending the reduction of duties on sugar and molasses, which were read and laid on the table.

Mr. Wilson presented a remonstrance against the repeal of the act incorporating the town of Gardener, which was read and committed to the committee of the whole, when on the bill upon that subject

Mr. D. P. Wood presented the petition of the New-York dental college, for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Williams presented a remonstrance against making Five Mile creek a public highway, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Cost presented the petition for a law to preserve the fish in Seneca Lake, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Rose presented the petition of the St. Regis Indians, praying for a division of their lands, &c., which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Odell presented the remonstrance of citizens of Goshen against a village charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Crocheron presented the petition of citizens of Port Richmond, to increase the members of Engine company No. 3, to 60, which was read and referred to the committee on the incorporation of cities and villages.

At a quarter to two o'clock p. m., Mr. Speaker announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 2,000 extra copies of the re-

port of the select committee on the subject of the just and equal rights of women, for the use of this House, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print fifteen extra copies of the annual report of the American Institute, for the use of each member of this Legislature, and 750 copies for the use of the Institute, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print fifteen extra copies of the report of the officers of Trinity Church, for the use of each member of the Legislature, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print 3,000 extra copies of the report of the Commissary General, for the use of the Legislature, reported in favor of the adoption of said resolution, which report was agreed to.

Mr. Palmer, from the committee on public printing, to which was referred the resolution to print ten extra copies of the report of the Prison Association of New-York, for the use of each member of the Legislature, and 2,000 copies for the use of the Association, reported that the committee had amended said resolution, by substituting 1,500 for the use of the Association, and as amended, recommend its adoption, which report was agreed to.

Mr. Littlejohn, from the committee on canals, to which was referred the bill entitled "An act to authorise the Canal Commissioners to lease certain surplus water of the Chemung canal to W. T. Hastings," reported adversely to the passage of said bill, which report was agreed to.

On motion of Mr. S. Baldwin,

Resolved, That Assembly bill No. 53, for the payment of the St. Regis tribe of Indians their damages, in consequence of having been dispossessed by this State of Barnhart and Baxter's Islands, in the river St. Lawrence, be made the special order for to-morrow, immediately after reading the journal.

Mr. Ward, from the select committee of nine, reported the following bills, as proper to be referred to select committees, with power to report complete. The report was agreed to, and the bills referred, as follows:

The Senate bill entitled "An act to amend the 6th section of article 1st, title 4, part 1, of the Revised Statutes, in reference to the time of opening the polls at election, in the county of Westchester," to Messrs. Odell, McMurray and D. Willis.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," to Messrs. D. Willis, Cumming and Brust.

The Senate bill entitled "An act to establish free schools in the village of Sing Sing," to Messrs. Odell, Holdridge and Jenkins.

The Senate bill entitled "An act ceding jurisdiction over lands to be occupied as sites of light houses and keepers dwellings within this State, and relinquishing title to Little Island, in the Hudson river," to Messrs. Sill, A. A. Dunlop and Howell.

The Senate bill entitled "An act declaring Alder Meadow brook a public highway," to Messrs. Burnett, Germain and Littlejohn.

The Senate bill entitled "An act authorising the election of trustees and other officers of the village of Fonda," to Messrs. Baker, Hull and Gleason.

• The Senate bill entitled "An act to authorise the Sandburgh plank road company to borrow money, and for other purposes," to Messrs. Mallory, Smalley and Thora.

The Senate bill entitled "An act amending the act incorporating the village of Sag Harbor, passed March 26, 1846," to Messrs. Preston, G. Miller and Bergen.

The Senate bill entitled "An act authorising the village of Cherry Valley to collect a tax of \$250 directed to be raised at the annual meeting of the inhabitants thereof, in 1852," to Messrs. Mather, Seeley and Whipple.

The Senate bill entitled "An act to amend the Revised Statutes relating to the sale of drugs and medicines," to Messrs. Chesebro, Gorham and Preston.

The Senate bill entitled "An act in relation to the New-York institution for the instruction of the deaf and dumb," to Messrs. Conkling, Sill and Weed.

"An act to amend the act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn,' passed April 4, 1850," to Messrs. Backus, Bergen and Morris.

"An act to erect the county of Canisteo," to Messrs. Stephens, Littlefield and W. H. Wood.

"An act to amend an act entitled 'An act to incorporate the Brooklyn and Gowanus toll bridge company,' passed April 29, 1833," to Messrs. Bergen, Weed and Searing.

"An act relative to the rights of married women," to Messrs. Angle, Aitken and G. Miller.

• "An act to amend an act entitled 'An act to incorporate the Saratoga and Schenectady bridge company,' passed April 2, 1836," to Messrs. Baucus, Nelson and R. Dunlap.

"An act for the relief of Stephen Dennis," to Messrs. Scott, Joy and Bennett.

• "An act to amend the act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn, passed April 16, 1852," to Messrs. Backus, Morris and Bergen.

"An act to prevent persons living on plank roads from being charged excessive tolls," to Messrs. R. J. Baldwin, Holdridge and Littlejohn.

"An act to amend an act entitled 'An act to incorporate the Syracuse savings institution,' passed March 30, 1839," to Messrs. Kinney, Richardson and D. P. Wood.

"An act to amend the 16th section of title 2, chapter 5 of second part of the Revised Statutes," to Messrs. Mallory, S. Miller and W. H. Wood.

"An act to provide for the election of overseers of highways in the several road districts of this State," to Messrs. R. J. Baldwin, Sill and Munroe.

"An act to amend the act entitled 'An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorise the taking of the same,' passed July 21, 1853," to Messrs. Savage, Littlejohn and Bergen.

"An act for the relief of the Scio and Bolivar plank road company," to Messrs. May, Jenkins and Randall.

The Senate bill entitled "An act to repeal an act entitled 'An act to erect the town of Gardener, in the county of Ulster,' passed April 2, 1853," to Messrs. Cook, Ward and Howell.

"An act for the further protection of emigrant passengers arriving at the port and city of New-York," to Messrs. Cumming, Richards and Leigh.

The Senate bill entitled "An act to repeal an act entitled 'An act relative to the purchase and laying out of certain lands for a public park in the Nineteenth ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty in relation thereto,'" to Messrs. Cumming, Conkling and Ward.

"An act for the relief of the Stockbridge Indians," to Messrs. J. E. Willis, Weed and Chesebro.

"An act in relation to the criminal courts in the city and county of New-York," to Messrs. Mallory, Cumming and Ward.

"An act enlarging and more strictly defining the powers of the trustees of the village of Addison."

"An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act," to Mr. Edwards.

Mr. Savage moved to except from said report the bill relating to Jones' wood park.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Savage, and it was determined in the affirmative, as follows :

{ AYES 41 }
{ NOES 39 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aftken	Cumming	Kirkland	Payne	Underwood
Baker	Fiero	Leigh	Peters	Ward
Benedict	Germain	Littlejohn	Richardson	White
Bergen	Gorham	Maguire	Speaker	Whitman

Boardman	Harpur	Mallory	Stephens	Wilson
Bostwick	Hinkley	McGraw	Sterling	Wilder
Burgess	Hull	McMurray	Suffern	Winne
Conkling	Mat. Hutchinson	G. Miller	Townsend	W. H. Wood
Cost				41

Those who voted in the negative are,

Angle	Clinton	Hoyle	Noble	Shu
Bailey	Collins	Jenkins	Palmer	Smalley
Backus	Crocheron	Legg	Randall	Thorn
R. J. Baldwin	Ferguson	Littlefield	Richards	Ware
S. Baldwin	Freeman	Martin	Savage	Whipple
Barrow	Gott	May	Scott	D. Willis
Bancus	Graham	S. F. Miller	Seeley	J. E. Willis
Beers	Hollenbeck	Mitchell	Sharp	89

Mr. Weed, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act for the continuation of Flatbush avenue from the city line of Brooklyn into the town of Flatbush," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Germain, from the select committee to which was referred the Senate bill entitled "An act to incorporate the Buffalo cemetery association," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of S. B. Roberts and 100 other citizens of Rome, praying for a law authorising the construction of a bridge over the Erie canal at Rome, reported, and asked and obtained leave to bring in a bill entitled "An act to authorise the construction of a bridge over the Erie canal, in the village of Rome."

On motion of Mr. Boardman, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of Addison Stewart and others, praying for the lowering of the wooden lock dam on the Champlain canal, reported adversely to the prayer of the petitioners, upon the ground that the Canal Board have full jurisdiction.

On motion of Mr. Boardman, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act to enable the Buffalo and New-York city railroad company to increase its capital and to issue a preferred stock," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act relative to railroad held under lease," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

On motion of Mr. Cumming, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the committee on railroads, to which was referred the bill entitled "An act to authorise the appointment of commissioners to appraise lands in certain cases," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Cumming, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Searing, from the committee on railroads, to which was referred the bill entitled "An act in relation to Lake Ontario, Auburn and New-York railroad company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Townsend, and by unanimous consent,

Said bill was referred to the committee on railroads, to report complete.

Mr. Morris, from the committee on banks, to which was referred the Senate bill entitled "An act to amend the fourth title of the 13th chapter, of the 1st part of the Revised Statutes, entitled 'regulations concerning the assessment of taxes on incorporated companies, and the commutation or collection thereof,' passed July 21, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Burgess, from the committee on insurance companies, to which was referred the Senate bill entitled "An act directing the removal of certain insurance papers from the Secretary of State's office to the Comptroller's office," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act for the support of common schools among the Shinnecock tribe of Indians," reported, that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act in relation to the Union free school, in Hamilton, Madison county," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. White, and by unanimous consent,

Ordered, That said bill do have its third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act

to amend an act to establish free schools in district number five, in the town of Flushing, passed March 10, 1948," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Mitchell, from the committee on claims, to which was referred the petition of Garret Mann, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act authorising the Canal Appraisers to hear and determine the claim of Garrett Mann," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. L. Miller, from the committee on claims, to which was referred the petition of Josiah E. Joslin, praying for relief, reported, and asked and obtained leave to bring in a bill entitled "An act to provide for the appraisal and payment of canal damages sustained by Christopher Joslin, 2nd, and Alanson Everett, their legal representatives," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Delevan Corey," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Herman H. Ehle," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of William Watson," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Horace Barnes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Dunlop & Company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Gosen P. Van Alstine," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Thomas Wiles," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Christopher Hultshaver," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Wealthy Noble," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Wood & Moyer," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Ernest F. Groffman," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of John Brandon," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Abraham Wood," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Eliza E. Ehle," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of John Q. A. Wilson," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Ernest Strasman," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of James E. Shrader," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Andrew P. Settle," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Edward Manning," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Frederick Otter," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole:

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisal of canal damages of Henry Hulshaver," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Michael Crow," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act to authorise the appraisal and payment of canal damages to Silas Walbridge," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act to authorise the appraisal and payment of canal damages to Gustavus Clark," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisal and payment of damages of Henry Baker, deceased," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Aaron Orman," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Abraham N. Van Buren," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Adam Fritcher," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Henry S. Bragdon," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Cornelius Gordinier," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act for the appraisement of canal damages of Robert Milligan," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Northfield, praying for the passage of an act to increase the number of firemen, reported, and asked and obtained leave to bring in a bill entitled "An act to increase the number of members of Port Richmond fire engine company No. 3," which was read

the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to revise and consolidate the laws in relation to Amsterdam village, in Montgomery county," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the better security of the lives of passengers on board of steam ferry boats or steamers used as ferry boats navigating the waters of this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Germain, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of citizens of Buffalo and Black Rock, praying for the repair of the feeder connecting the Erie canal with Lake Erie, reported, and asked and obtained leave to bring in a bill entitled "An act to provide an adequate supply of water for the Erie canal, and to improve the feeder connecting it with Lake Erie," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hatch, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Littlejohn, from the committee on canals, to which was referred the petition of T. C. Chamberlain, praying for interference of the Legislature in regard to removal of the Chamberlain dam on the Cayuga and Seneca canal, reported adversely to the prayer of the petitioner, and offered the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal an act entitled 'An act relative to the purchase and laying out of certain lands for a public park in the 19th ward of the city of New-York,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act for the better security of mechanics and others erecting buildings in

the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans and Niagara," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

On motion of Mr. McGraw, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading

Mr. McGraw, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the act incorporating the village of Penn-Yan, Yates co., passed March 23, 1852," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Underwood, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act relative to the Hudson aqueduct company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Savage, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Hudson," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act revising, amending and consolidating the several acts in relation to the village of Greenbush," to report complete, reported the same complete with an amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,

Ordered, That said bill be read a third time.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act vesting powers and privileges in the freeholders of the village of Castleton, passed April 13, 1827, and the acts amending the same, passed May 25, 1836," reported that they had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the several acts in relation to the village of Salem, and to authorize said village to borrow money," to report complete, re-

ported the same complete without amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill, entitled "An act to authorise the water commissioners of the village of Watertown to borrow money," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,
Ordered, That said bill be read a third time.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend the charter of the village of Lansingburgh, and the several acts amending the same," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to confirm the election of corporation officers in the village of Malone, in the county of Franklin," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Savage, and by unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to authorise the president and trustees of the village of Sing Sing to borrow money and to erect a village hall," reported that the committee had examined said bill and saw no reason why the same should not be passed into a law.

On motion of Mr. Savage, and by unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled "An act to amend an act incorporating the village of Flushing," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act for the supply of the city of Brooklyn with water, passed June 3, 1853," reported, that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Morris, and by unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act declaring certain parts of Five Mile creek, in the county of Steuben, a public highway,' passed March 22, 1828," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to provide for the erection of a town hall in the town of West Farms, in the county of Westchester," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Odell, and by unanimous consent,

Ordered, That said bill be read a third time.

Mr. Wilson, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Richardson, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend the several acts in relation to the association for the exhibition of the industry of all nations, and to declare the powers thereof," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Cumming, and by unanimous consent,

Ordered, That said bill be read a third time.

Mr. Rose, from the committee on Indian affairs, to which was referred the Senate bill entitled "An act to prevent the destruction of timber on the lands of the Tuscarora Indians, and to regulate the highway labor among said Indians," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Hull, from the committee on medical societies and colleges, to which was referred the bill entitled "An act to prohibit the use of camphine, spirit gas, or any preparation of alcohol or spirits of turpentine, for the purpose of illumination in stages, omnibuses, railroad cars and steamboats, in certain cases," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Hull, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act making the village of Esperance, Schoharie county, a separate road district," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the construction of draw bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Odell, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to repeal an act entitled 'An act for the relief of the Port Richmond and Fresh Kills plank road company,' passed February 25, 1854," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Richards, from the minority of the select committee to which was referred the bill for the relief of John O'Brien, reported the following resolution:

Resolved, That so much of the report of the select committee as recommends that the bill do not pass, be disagreed to, and that the bill be ordered to be engrossed for a third reading.

Ordered, That said resolution be laid on the table.

Mr. G. Miller, from the select committee to which was referred the bill entitled "An act amending the act entitled 'An act incorporating the village of Sag Harbor,' passed March 26, 1848," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Aitken, from the committee on banks, to which was referred the bill entitled "An act relative to holidays to be observed in the acceptance and payment of bills of exchange and promissory notes," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Seeley, from the select committee to which was referred the bill entitled "An act to amend the act of incorporation of the village of Oneonta, Otsego county, and to invest the trustees thereof with certain powers not before granted or authorised," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn and Gowanus toll bridge company,' passed April 29, 1833," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Mathias Hutchinson, from the select committee to which was referred the bill entitled "An act to authorise the appointment of commissioners to appraise lands to be taken for the Lake Ontario, Auburn and New-York railroad company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. E. Willis, from the select committee to which was referred the bill entitled "An act for the relief of the Stockbridge Indians," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act for the incorporation of societies to establish free churches," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Burnett, from the select committee to which was referred the bill entitled "An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens, in the county of Greene," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act making an appropriation for the purpose of building a bridge across St. Regis river, on the Indian reservation in the village of Hogansburgh, in the county of Franklin," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to the court of common pleas for the city and county of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Burnett, and by unanimous consent,

Ordered, That said bill be read a third time.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Washington," to report complete, reported

the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise certain officers to administer oaths and affirmations in particular cases," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Burnett, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. W. H. Wood, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the election of officers in the village of Newark," to report complete, reported the same complete, without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. W. H. Wood, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the election of officers of the village of Ellicottville," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to change the name of Mary Emma Hayes to Mary Emma Donnington, making her heir at law of Ogden Donnington," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes in relation to proceedings to perpetuate testimony," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Sessions, from the committee on ways and means, to which was referred the bill entitled "An act to increase the salary of the superintendent of salt springs," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Port Richmond and Bergen Point ferry company,' passed April 12, 1848," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to increase the number of wreckmasters in the county of Suffolk," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Palmer, from the select committee to which was referred the bill entitled "An act to incorporate the Merchants' and Publishers' Advertising Company, of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backus, from the select committee to which was referred the bill entitled "An act to provide for a deputy clerk of the court of general sessions of Kings county," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. Willis, from the select committee to which was referred the bill entitled "An act to incorporate the Atlantic and Pacific canal company," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. Willis, from the select committee to which was referred the bill entitled "An act to regulate the labor of adults and minors," to report complete, reported the same complete with amendments, which report was agreed to.

On motion of Mr. D. Willis, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Hull, from the select committee to which was referred the bill entitled "An act authorising the election of trustees and other officers of the village of Fonda," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise stockholders of railroad companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,' passed June 30, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Odell, from the select committee, to which was referred the bill entitled "An act to amend the sixth section of ar-

title first, of title fourth, of part first, of the Revised Statutes, in reference to the time of opening the polls at election in the county of Westchester," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Odell, from the select committee to which was referred the bill entitled "An act to establish free schools in the village of Sing Sing," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee to which was referred the Senate bill entitled "An act to repeal an act entitled 'An act to erect the town of Gardiner, in the county of Ulster,' passed April 2, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Baucus, from the select committee to which was referred the bill entitled "An act to amend the charter of the village of Saratoga Springs," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. R. J. Baldwin, from the select committee to which was referred the bill entitled "An act to increase the common school fund, and to provide for a more elevated system of free education," to report complete, reported the same complete with amendments, and the title amended so as to read "An act for the better security of depositors, and to preserve for the use of the people of this State certain property having no ascertained owners," which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Clinton, from the select committee, to which was referred the bill entitled "An act to incorporate the Merchants' and Clerks' Library Association of the city of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Angle, from the select committee to which was referred the bill entitled "An act to change the name of the town of Union to that of North Hampton," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the city of Troy,' passed April 12, 1816," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Edwards, from the select committee, to which was referred the bill entitled "An act to amend the charter and several acts

-relating to the village of Waterford, and to incorporate the same into one act," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to repeal an act relative to the purchase and laying out of certain lands for a public park in the 19th ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty in relation thereto, passed July 21, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Leigh, from the select committee to which was referred the bill entitled "An act to incorporate the Local Preachers' Association of the Methodist Episcopal church of New-York and Brooklyn," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to incorporate the American Geographical and Statistical Society," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Sill, from the select committee to which was referred the bill entitled "An act to regulate the speed of locomotive engines through the incorporated cities and villages of this State," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act for the incorporation of the village of Flushing," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burgess, from the select committee to which was referred the bill entitled "An act to provide for the alteration, reconstruction and improvement of the public highway in Frankfort, Herkimer county, known as the Moyer Creek road," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Germain, from the select committee to which was referred the Senate bill entitled "An act declaring Alder Meadow brook a public highway, and regulating the passage of logs and timber down the same," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Cunningham, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to authorize the formation of gas light companies,'" passed February 16, 1848," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Savage, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to alter the map of the city of New-York by laying out a public place,'" passed July 21, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, informing that they had concurred in the following resolution:

Resolved, (if the Senate concur,) That the Legislature will adjourn on Friday, the 7th of April inst., at 2 o'clock p. m., until Monday, the 10th inst., at 7 o'clock p. m.

Mr. Speaker presented a communication from the Secretary of State, in answer to a resolution of the 6th of February last and of the 3d of March last, for information about the printing and disposition of the printed copies of the Documentary History of this State.

On motion of Mr. D. P. Wood, and by unanimous consent,

The bill entitled "An act to provide for the extension of the manufacture of coarse salt by solar evaporation," was ordered engrossed for a third reading.

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess.

SEVEN O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to incorporate the Inventors' Business Company, of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

On motion of Mr. Clinton, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act to authorize the appraisal and payment of canal damages of G. & J. W. Caldwell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to regulate the tax on raw cotton and on hops sold in bales."

The bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Hudson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hatch	L. Miller	Speaker
Aitken	Conkling	Holdridge	Mitchell	Suffern
Baker	Cumming	Hoyle	Morris	Thompson
Backus	Cushman	Hull	Odell	Townsend
R. J. Baldwin	Dawson	Nat. Hutchinson	Palmer	Underwood
Barrow	E. Dunlap	Jenkins	Payne	Ward
Barton	Ferguson	Kinney	Peters	Wart
Baucus	Flaro	Kirkland	Randall	Whipple
Benedict	Freeman	Legg	Richards	White
Bennett	Gerpain	Leigh	Richardson	Whitman
Bergen	Gibbs	Littlejohn	Rowland	Wilson
Boardsman	Gleason	Magnire	Savage	Wilder
Boatwick	Gorham	Mallory	Scott	J. E. Williams
Boyd	Gott	Martin	Seeley	Williams
Burgess	Graham	May	Shesley	Wimes
Cann	Hall	McGraw	Still	D. P. Wood
Chesebro	Harpur	McMurray	Smalley	W. H. Wood
Clinton	Harris	G. Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Penn Yan, in the county of Yates,' passed March 23, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	L. Miller	Speaker
Aitken	Cook	Hinkley	Mitchell	Suffern
Backus	Collins	Holdridge	Morris	Thompson
R. J. Baldwin	Conkling	Hollenbeck	Odell	Townsend
Barton	Cost	Hoyle	Palmer	Underwood
Baucus	Crocheron	Hull	Peters	Ward
Beers	Cumming	Nat. Hutchinson	Randall	Wood

Benedict	Dewey	Jenkins	Richards	Whipple
Bennett	Ferguson	Kinney	Richardson	White
Bergen	Fiero	Kirkland	Rowland	Whitman
Boardman	Germain	Legg	Savage	Wilson
Boatwick	Gibbs	Leigh	Seeley	Wilder
Boyd	Gleason	Mallory	Sharp	Williams
Brust	Gott	Martin	Sheeley	Winne
Burgess	Hall	McGraw	Sill	D. P. Wood
Chesebro	Harris	McMurray	Smalley	W. H. Wood 80

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation for the purpose of building a bridge across St. Regis river, at the village of Hogenburgh, in the county of Franklin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 91 }

Those who voted in the affirmative are,

Angle	Chesebro	Harris	McMurray	Sharp
Aitken	Cook	Hatch	L. Miller	Sheeley
Baker	Conkling	Hinkley	Mitchell	Smalley
Backus	Cost	Hollenbeck	Munroe	Sterling
R. J. Baldwin	Crocheron	Hoyle	Noble	Suffers
S. Baldwin	Cushman	Mat. Hutchinson	Odell	Thompson
Barrow	Dawson	Jenkins	Palmer	Underwood
Barton	Dewey	Kinney	Peters	Ware
Baucus	E. Dunlap	Kirkland	Preston	Weed
Boers	Ferguson	Legg	Richards	Whipple
Benedict	Fiero	Littlefield	Richardson	Wilder
Bergen	Freeman	Maguire	Rowland	Winne
Boatwick	Germain	Martin	Scott	D. P. Wood
Boyd	Gibbs	Mather	Searing	J. S. Wood
Burgess	Gott	McGraw	Seeley	W. H. Wood
Case	Graham			

77

For the negative,

Bennett

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the Revised Statutes in relation to courts of special session, and to regulate the police of the town of Athens, in the county of Greene," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Gott	McGraw	Smalley
Aitken	Chesebro	Harris	McMurray	Suffern
Bailey	Cook	Holdridge	L. Miller	Thompson
Baker	Conkling	Hoyle	Mitchell	Townsend
R. J. Baldwin	Cost	Hull	Morris	Underwood
S. Baldwin	Crocheron	Mat. Hutchison	Noble	Ward
Barrow	Cumming	Jenkins	Odell	Ware
Barton	Cushman	Kinney	Palmer	Whipple
Baucus	Dawson	Kirkland	Peters	Whitman
Beers	Dewey	Legg	Richardson	Wilson
Benedict	Ferguson	Leigh	Savage	Wilder
Bennett	Fiero	Littlefield	Scott	Williams
Bergen	Freeman	Martin	Sealey	Winne
Boardman	Germain	Mather	Shealey	J. S. Wood
Boyd	Gibbs	May	Sill	W. H. Wood
Burgess	Gleason			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of officers in the village of Ellicottville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Harris	Mitchell	Suffern
Aitken	Case	Holdridge	Morris	Thompson
Bailey	Clinton	Hoyle	Noble	Thorn
Baker	Cook	Hull	Odell	Townsend
Baucus	Conkling	Mat. Hutchison	Payne	Underwood
R. J. Baldwin	Cost	Kinney	Peters	Ward
S. Baldwin	Crocheron	Kirkland	Richardson	Wart
Barrow	Cumming	Leigh	Rowland	Whipple
Barton	Cushman	Littlefield	Scott	White
Baucus	R. Dunlap	Littlejohn	Searing	Whitman
Beers	Ferguson	Martin	Sealey	Wilson
Benedict	Fiero	Mather	Sharp	Wilder
Bennett	Freeman	May	Shealey	Williams
Bergen	Germain	McGraw	Sill	Winne
Boardman	Gibbs	McMurray	Smalley	D. P. Wood
Boyd	Gott	L. Miller	Sterling	W. H. Wood

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the construction of a bridge over the Erie canal in the village of Rome," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Clinton	Hinkley	Mitchell	Smalley
Aitken	Cook	Hollenbeck	Morris	Speaker
Bailey	Conkling	Hull	Noble	Suffern
Backus	Crocheron	Mat. Hutchinson	Odell	Thompson
R. J. Baldwin	Cushman	Kinney	Palmer	Ward
S. Baldwin	Dawson	Kirkland	Peters	Ware
Barrow	R. Dunlap	Legg	Richards	Wart
Barton	Ferguson	Littlejohn	Richardson	White
Beers	Fiero	Maguire	Rowland	Whitman
Benedict	Freeman	Mallory	Savage	Wilson
Bennett	Germain	Martin	Scott	Wilder
Bergen	Gibbs	May	Searing	Williams
Boardman	Gleason	McGraw	Seeley	Winne
Burgess	Gott	McMurray	Sharp	D. P. Wood
Case	Graham	Mills	Sheeley	W. H. Wood
Chesebro	Hall	L. Miller	Sill	

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorising the Comptroller to loan money to the Pulaski school district, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Conkling	Mat. Hutchinson	Noble	Townsend
Bailey	Crocheron	Jenkins	Odell	Underwood
Baker	Cunningham	Kinney	Palmer	Ward
Backus	Cushman	Legg	Richards	Ware
Barrow	Dawson	Littlefield	Richardson	Wart
Barton	Dewey	Littlejohn	Ross	Whipple
Baucus	R. Dunlap	Maguire	Savage	White
Beers	Ferguson	Martin	Searing	Whitman
Benedict	Freeman	Mather	Seeley	Wilson
Bennett	Germain	May	Sharp	Wilder
Bergen	Gibbs	McGraw	Sheeley	D. Williams
Bostwick	Gleason	McMurray	Sill	Winne
Burgess	Graham	L. Miller	Smalley	D. P. Wood
Chesebro	Harris	Mitchell	Suffern	J. S. Wood
Clinton	Hinkley	Morris	Thompson	W. H. Wood
Cook	Hull			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Sandburgh plant road company to borrow money, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Harpur	McMurray	Thompson
Aitken	Cook	Harris	L. Miller	Townsend
Bailey	Collins	Hollenbeck	Mitchell	Underwood
Baker	Conkling	Hull	Morris	Ward
E. J. Baldwin	Cumming	Mat. Hutchinson	Odell	Ware
S. Baldwin	Cushman	Jenkins	Palmer	Wart
Barrow	Dawson	Kinney	Peters	Whipple
Barton	R. Dunlap	Kirkland	Randall	White
Baucus	Ferguson	Legg	Richards	Whitman
Beers	Fiero	Littlefield	Rowland	Wilson
Benedict	Freeman	Littlejohn	Scott	Wilder
Bennett	Germain	Maguire	Seeley	D. Willis
Bergen	Gibbs	Mallory	Sheeley	J. E. Willis
Boardman	Gleason	Martin	Snell	Williams
Burgess	Gott	Mather	Smalley	Winne
Oase	Graham	May	Speaker	D. P. Wood
Quesebro	Hall	McGraw	Stephens	W. H. Wood 85

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to authorize the appointment of commissioners to appraise lands in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cook	Hatch	McMurray	Speaker
Bailey	Conkling	Hinkley	L. Miller	Suffern
Baker	Cost	Hollenbeck	Mitchell	Thompson
Baucus	Orecheron	Hull	Morris	Townsend
E. J. Baldwin	Cumming	Mat. Hutchinson	Noble	Underwood
S. Baldwin	Cushman	Jenkins	Odell	Ward
Barton	Dawson	Joy	Palmer	Wart
Baucus	Dewey	Kinney	Peters	Whipple
Beers	Ferguson	Kirkland	Randall	White
Benedict	Fiero	Legg	Richards	Whitman
Bennett	Freeman	Leigh	Richardson	Wilson
Bergen	Germain	Littlejohn	Rowland	Wilder
Boardman	Gibbs	Maguire	Savage	D. Willis

Bestwick	Gleason	Mallory	Scott	Williams
Boyd	Gorham	Martin	Seeley	Winn
Burgess	Gott	May	Sheeley	D. P. Wood
Case	Harris	McGraw	Smalley	W. H. Wood
Chesebro				

84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act for the supply of the city of Brooklyn with pure water,' passed June 3, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Jenkins	Noble	Ward
Aitken	Cumming	Kinney	Odell	Ware
Bailey	Cushman	Kirkland	Peters	Wart
Baker	Dawson	Legg	Richardson	Whipple
Backus	Dewey	Littlefield	Savage	White
Barrow	R. Dunlap	Littlejohn	Scott	Whitman
Barton	Ferguson	Maguire	Seeley	Wilson
Beers	Fiero	Martin	Sharp	Wilder
Benedict	Freeman	Mather	Sheeley	D. Willis
Bennett	Gleason	May	Smalley	J. E. Willis
Bergen	Gott	McGraw	Speaker	Williams
Boardman	Graham	McMurray	Sterling	Winn
Burgess	Harris	L. Miller	Suffern	D. P. Wood
Chesebro	Hoyle	Mitchell	Thompson	J. S. Wood
Clinton	Hull	Morris	Underwood	W. H. Wood
Conkling	Mat. Hutchinson			

77

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to regulate the management of the Seneca river improvement and the Baldwinsville canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	L. Miller	Thompson
Aitken	Crocheron	Hollenbeck	Morris	Thorn
Bailey	Cumming	Hull	Odell	Townsend
Baker	Cushman	Kinney	Palmer	Underwood

Beckus	Dawson	Kirkland	Freston	Ward
R. J. Baldwin	R. Dunlap	Legg	Richards	Ware
S. Baldwin	Ferguson	Leigh	Richardson	Wart
Barrow	Fiero	Littlefield	Rowland	Whipple
Barton	Freeman	Littlejohn	Savage	White
Beers	German	Maguire	Scott	Whitman
Benedict	Gibbs	Mallery	Sealey	Wilson
Bennett	Gleason	Martin	Sharp	Wilder
Boatwick	Gott	Mather	Shoeley	Winne
Boyd	Graham	May	Sill	D. P. Wood
Burgess	Hall	McGraw	Smalley	J. S. Wood
Clinton	Harpur	McMurray	Suffern	W. H. Wood
Cook	Harris			

For the negative,

Bergen

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the several acts in relation to the village of Salmon, and to authorise said village to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 {
{ NOES 01 {

Those who voted in the affirmative are,

Angle	Conkling	Hatch	McGraw	Speaker
Bailey	Cost	Heldridge	McMurray	Stephens
Baker	Crocheron	Hoyle	L. Miller	Suffern
Beckus	Cumming	Hull	Mitchell	Thompson
Barrow	Cushman	Mat. Hutchinson	Noble	Townsend
Barton	Dawson	Jenkins	Odell	Underwood
Beers	R. Dunlap	Kinney	Palmer	Ward
Benedict	Ferguson	Kirkland	Peters	Ware
Bennett	Fiero	Legg	Richardson	Whipple
Bergen	Freeman	Leigh	Scott	Wilson
Boardman	German	Littlefield	Sealey	Wilder
Boatwick	Gibbs	Littlejohn	Sharp	Winne
Burgess	Gleason	Maguire	Shoeley	D. P. Wood
Chesbro	Gott	Martin	Sill	J. S. Wood
Clinton	Harpur	Mather	Smalley	W. H. Wood
Cook	Harris	May		

For the negative,

Aitken

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. May offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House go into committee of the whole on Tuesday next, at 11 o'clock a. m., to consider the various claim bills now before us.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

The bill entitled "An act relating to railroads held under lease," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 64 }
{ NOES 18 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	Mitchell	Thompson
Backus	Cost	Hoyle	Morris	Townsend
S. Baldwin	Crocheron	Hull	Noble	Underwood
Barrow	Cumming	Mat. Hutchinson	Palmer	Ward
Barton	Cushman	Jenkins	Peters	Wart
Beers	Dawson	Legg	Randall	White
Benedict	Ferguson	Leigh	Scott	Whitman
Bennett	Gibbs	Magnire	Seeley	Wilson
Bergen	Gorham	Martin	Sheeley	Wilder
Boardman	Gott	May	Sill	Winne
Boatwick	Graham	McGraw	Smalley	D. P. Wood
Boyd	Harris	McMurray	Speaker	W. H. Wood
Burgess	Hinkley	L. Miller	Sterling	64

Those who voted in the negative are,

Aitken	R. Dunlap	Hatch	Littlejohn	Sharp
Case	Fiero	Hollenbeck	Richardson	Saffern
Clinton	Freeman	Kinney	Rowland	Williams
Conkling	Germain	Kirkland		18

Mr. Conkling moved to reconsider the vote just taken.

On motion of Mr. Cumming,

Said motion was laid on the table.

The bill entitled "An act to prevent the destruction of timber on the lands of the Tuscarora Indians, and to regulate the highway labor among said Indians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	Mitchell	Suffern
Bailey	Conkling	Hollenbeck	Noble	Thompson
Baker	Cost	Hull	Palmer	Thorn
Backus	Crocheron	Mat. Hutchinson	Peters	Townsend
S. Baldwin	Cumming	Jenkins	Preston	Ward
Barton	Cushman	Kirkland	Richards	Ware
Baucus	Dawson	Legg	Richardson	Wart
Beers	Dewey	Leigh	Rose	White

Benedict	R. Dunlap	Littlefield	Rowland	Whitman
Bennett	Ferguson	Littlejohn	Savage	Wilson
Bergan	Fiero	Maguire	Searing	Wilder
Boardman	Freeman	Mallory	Seeley	D. Willis
Bostwick	Germain	Mather	Sharp	Williams
Boyd	Gibbs	May	Sheeley	Winne
Burgess	Gleason	McMurray	Sill	D. P. Wood
Barnett	Gott	Mills	Smalley	J. S. Wood
Cass	Graham	L. Miller	Speaker	W. H. Wood
Clinton	Harris	S. F. Miller	Stephens	89

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the alteration, reconstruction and improvement of the public highway in Frankfort, Herkimer county, known as the Moyer creek road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Hollenbeck	McMurray	Speaker
Bailey	Cumming	Hoyle	S. F. Miller	Stephens
Barrow	Cushman	Hull	Mitchell	Suffern
Barton	Dewey	Mat. Hutchinson	Morris	Thompson
Baucus	R. Dunlap	Jenkins	Noble	Townsend
Beers	Ferguson	Kinney	Odell	Underwood
Benedict	Fiero	Kirkland	Peters	Ward
Bennett	Freeman	Legg	Preston	Wart
Bergan	Germain	Leigh	Randall	Whipple
Boyd	Gibbs	Littlefield	Savage	Whitman
Burgess	Gleason	Littlejohn	Scott	Wilson
Chesebro	Gorham	Maguire	Sharp	Wilder
Clinton	Gott	Martin	Sheeley	Winne
Cook	Harpur	Mather	Sill	D. P. Wood
Conkling	Harris	McGraw	Smalley	J. S. Wood
Cost	Holdridge			77

For the negative,

Seeley

1

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act to amend the several acts in relation to the association for the exhibition of the industry of all nations, and declare the powers thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	McMurray	Stephens
Aitken	Conkling	Hoyle	Mills	Suffern
Bailey	Cost	Hull	L. Miller	Townsend
Baker	Crocheron	Mat. Hutchinson	S. F. Miller	Thorn
Backus	Cumming	Jenkins	Mitchell	Underwood
R. J. Baldwin	Cushman	Kinney	Morris	Ward
Barrow	Dawson	Kirkland	Noble	Wart
Barton	Dewey	Legg	Odell	Weed
Beers	R. Dunlap	Leigh	Palmer	Wilder
Benedict	Ferguson	Littlefield	Peters	D. Willis
Bennett	Fiero	Littlejohn	Richardson	J. E. Willis
Bergen	Freeman	Maguire	Rose	Williams
Boardman	Germain	Mallory	Savage	Winne
Boyd	Gibbs	Martin	Seeley	D. P. Wood
Burgess	Gleason	Mather	Sill	J. S. Wood
Chesebro	Gott	May	Smalley	W. H. Wood
Clinton	Harris	McGraw	Speaker	84

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to provide for a deputy clerk of the court of general sessions of Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Harpur	Mather	Smalley
Bailey	Cook	Harris	McGraw	Speaker
Baker	Conkling	Hatch	McMurray	Stephens
Backus	Cost	Holdridge	L. Miller	Thompson
R. J. Baldwin	Crocheron	Hoyle	S. F. Miller	Townsend
Barrow	Cumming	Hull	Mitchell	Underwood
Barton	Cushman	Mat. Hutchinson	Morris	Ward
Baucus	Dewey	Jenkins	Noble	Ware
Beers	R. Dunlap	Kinney	Odell	Wart
Benedict	Ferguson	Kirkland	Peters	Weed
Bennett	Fiero	Legg	Richardson	Wilson
Bergen	Freeman	Leigh	Savage	Wilder
Boardman	Germain	Littlefield	Scott	Williams
Boyd	Gibbs	Littlejohn	Seeley	Winne
Brust	Gleason	Maguire	Sharp	D. P. Wood
Burgess	Gorham	Mallory	Sheeley	J. S. Wood
Chesebro	Gott	Martin	Sill	W. H. Wood 85

For the negative,

Suffern

1

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendments.

The bill entitled "An act in relation to dogs in the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 44 }
{ NOES 25 }

Those who voted in the affirmative are,

Bailey	Cost	Gott	Mitchell	Wart
Baker	Crocheron	Harris	Richards	Wilson
Barrow	Cushman	Hatch	Scott	Wilder
Barton	Dawson	Jenkins	Seeley	D. Willis
Benedict	Dewey	Legg	Sheeley	Williams
Bennett	R. Dunlap	Mallory	Sill	Winne
Bergen	Ferguson	Mather	Speaker	D. P. Wood
Chesebro	Fiero	McGraw	Ward	W. H. Wood
Cook	Freeman	S. F. Miller	Ware	44

Those who voted in the negative are,

Aitken	Boyd	Hoyle	Martin	Suffern
Backus	Clinton	Mat. Hutchinson	Morris	Thompson
R. J. Baldwin	Conkling	Kinney	Peters	Underwood
Bancus	Gibbs	Kirkland	Savage	Weed
Boardman	Hollenbeck	Littlefield	Smalley	J. S. Wood
				25

On motion of Mr. W. H. Wood, and by unanimous consent,
Resolved, That the act to provide for the establishment of Indian schools upon the Cattaraugus and Allegany reservations in this State, for the instruction of Indian children, be ordered engrossed for a third reading.

On motion of Mr. Benedict,
At ten o'clock p. m., the House adjourned.

FRIDAY, APRIL 7, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. —.

The minutes of yesterday were read and approved.

By unanimous consent,

Mr. Boardman asked and obtained leave to introduce a bill entitled "An act to authorise the trustees of the village of Rome to raise an additional sum of money," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Boardman, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Matthias Hutchinson, and by unanimous consent,

The bill entitled "An act for the relief of Henry Jordan, an Indian of the Oneida tribe, for services as interpreter and agent for said Indians," was

Ordered, Engrossed for a third reading.

Mr. Preston, on his own motion, was granted leave of absence for the remainder of the session.

Mr. Speaker announced as the business in order the special order, it being the consideration of the following entitled bills :

"An act authorising the Canal Appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the destruction of a dam on the Oneida river."

"An act for the relief of Hobart free college and of Hamilton college."

"An act for the payment of the St. Regis tribe of Indians their damages, in consequence of having been dispossessed by this State of Barnhart and Baxter's islands, in the river St. Lawrence."

The House then resolved itself into a committee of the whole upon the foregoing bills.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Preston, from said committee, reported that the committee had gone through said first and second mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bills do have their third reading.

Mr. Preston, from the same committee, reported that the committee had gone through said third mentioned bill, made sundry amendments thereto, and as amended, recommend its passage, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Gleason, from the select committee, to which was referred the bill entitled "An act for the relief of Elias P. Gilman," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

The House then resolved itself into a committee of the whole upon the bills entitled as follows :

"An act to amend an act entitled 'An act to incorporate the village of Greene, Chenango county,' passed April 12, 1842."

"An act providing for the appraisal of the damages sustained by the owners and occupants of certain mills and hydraulic works in the city of Rochester, by the diversion of the waters of the Genesee river for the supply of the Erie and Genesee Valley canals."

"An act for the relief of Mahlon S. Ross."

After sometime spent thereon, Mr. Speaker resumed the chair, and Mr. Hall, from said committee, reported that the committee

had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hall, from the same committee, reported that the committee had gone through said second and third mentioned bills, made sundry amendments thereto, and as amended recommend their passage, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

By unanimous consent,

Mr. A. A. Dunlop, from the select committee, consisting of the Albany and Rensselaer county delegations, to which was referred the Senate bill entitled "An act to regulate the ferries between Troy and West Troy," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to provide for the taking of the next census," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. D. P. Wood, and by unanimous consent,

Resolved, That the Secretary of State forward to each of the members and officers of the last Legislature, the documents and journals to which they are entitled, as soon as the same shall be in readiness.

Resolved, That the Secretary of State forward to each of the members and officers of this Legislature, the bound documents and journals to which they are entitled, as soon as the same shall be in readiness.

Resolved, That the Clerk of this House, forward to each of the members, officers and reporters thereof, the documents to which they are entitled and which shall not have been delivered before its adjournment, as soon as they are in readiness.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act in relation to the moneys levied by law on masters, mates, mariners and seamen, arriving at the city and port of New-York, and the disposal of the same by the trustees of the seamen's fund and retreat."

"An act to amend chapter 172, laws of 1826, entitled 'An act to incorporate the Ovid academy, and for other purposes,' passed April 13, 1826."

"An act authorising the supervisor of the town of Plattsburgh, to lease certain property."

"An act to provide for the appointment of police officers for the town of Newburgh, in the county of Orange."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for the education of the children of the Tuscarora Indians, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. R. Dunlap, and by unanimous consent, Said committee were empowered to report the same complete.

"An act authorising the appraisal and payment of the damages of John Flynn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act changing the names of certain minors therein specified," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Littlefield, and by unanimous consent, Said committee were empowered to report the same complete.

"An act for the relief of Wells D. Walbridge, for canal damages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend and in addition to the several acts relative to joint stock associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Boardman, and by unanimous consent, Said committee were empowered to report the same complete.

"An act to enable the city of Brooklyn to borrow in anticipation of the taxes to be levied and raised in the city of Brooklyn, for the year 1854, the sum of \$11,500, for the use of the fire department in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Backus, and by unanimous consent, *Ordered*, That said bill do have its third reading.

"An act making an appropriation for the erection of a new wing to the Western house of refuge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act for the appraisalment of canal damages of Nicholas J. Smith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisalment of canal damages of Charles Scharp," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisalment of canal damages of Clark & Averill," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of Simon G. Kittle," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of John Stafford," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of John H. Stafford," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of Pythagoras Wetmore," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on claims.

"An act for the appraisement of canal damages of John H. Casler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act authorising the Canal Commissioners in rebuilding the locks on the Chemung canal and feeder, to rebuild them of the enlarged size," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Randall, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act relative to the New-York Baptist Union for ministerial education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Angle, and by unanimous consent,

Said committee were empowered to report the same complete.

"An act for the appraisement of canal damages of John J. Culver," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Louis S. Germain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Daniel A. Hawley," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of John R. Pettis," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Marcus L. Hoag," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Obed Blowers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of Rhinear Van Evera & Christopher Swits, assignees of Rufus Swits," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to widen Fulton and Joralemon streets, between Red Hook lane and Court street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent,
Said bill was referred to a select committee, to report the same complete.

Mr. Speaker announced as said select committee, Messrs. Bergen, Backus and Searing.

"An act to incorporate the General Protestant Sunday School Union and Church book society," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Burnett, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act to authorise the Lockport and Mansfield plank road company to borrow money and relieve them from extending their road," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. R. Dunlap, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act for the relief of Albert Patten and Franklin J. Patten," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the appraisement of canal damages of James Cook, agent for heirs of John Lieber, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to appoint commissioners to locate a second New-York State lunatic asylum," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McGraw, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act for the appraisement of canal damages of Jacob Casler," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on claims.

"An act for the appraisalment of canal damages of Edward R. Soule," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisalment of canal damages of Brown Stafford," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisalment of canal damages of Charles G. Barns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New-York, passed June 28, 1853."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Attkin	Case	Gleason	May	Sheeley
Baker	Chesebro	Gott	McGraw	Sill
Backus	Clinton	Hall	McMurray	Smalley
R. J. Baldwin	Cook	Harpur	G. Miller	Sterling
S. Baldwin	Collins	Hatch	L. Miller	Suffern
Barrow	Conkling	Holdridge	S. F. Miller	Thorn
Barton	Cost	Hollenbeck	Mitchell	Townsend
Baucus	Crocheron	Hull	Morris	Underwood
Beers	Cushman	Jenkins	Palmer	Ward
Benedict	A. A. Dunlap	Kinney	Peters	Whipple
Bennett	R. Dunlap	Kirkland	Preston	Wilder
Bergen	Edwards	Legg	Richards	Williams
Boardman	Ferguson	Leigh	Richardson	Winne
Boyd	Fiero	Littlefield	Scott	D. P. Wood
Brust	Freeman	Littlejohn	Sessions	J. S. Wood
Burgess	Germain	Maguire	Seeley	W. H. Wood
Burnett	Gibbs	Mallory	Sharp	64

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

On motion of Mr. Williams, and by unanimous consent, The bill authorising the town of Prattsburgh to raise money for highway purposes was ordered engrossed for a third reading.

By unanimous consent,

The House then resolved itself into a committee of the whole upon the bill entitled as follows :

"An act to authorise the formation of town insurance companies."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker presented a communication from Abram Du Bois, secretary of the New-York Eye and Ear Infirmary, in behalf of the directors, inviting the members of the Legislature to visit said institution, on Monday next, between the hours of 12 and 2 o'clock.

Mr. Conkling, from the select committee to which was referred the bill entitled "An act in relation to the New-York institution for the instruction of the deaf and dumb," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be laid on the table.

Mr. Sill, from the select committee to which was referred the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers dwellings, within this State, and relinquishing title to Little Island, in the Hudson river," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Clinton, from the select committee to which was referred the bill entitled "An act relative to bills of exchange and promissory notes," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

At 2 o'clock p. m., the Speaker declared the House adjourned

MONDAY, APRIL 10, 1854.

At seven o'clock p. m., the House met pursuant to adjournment, Mr. Speaker Pruyn in the chair.

The roll of members was called by the Clerk, and the following members answered to their names :

Bergen	Hall	Kirkland	Rowland	Sterling
Boardman	Harpur	Legg	Sessions	Suffern
Burnett	Hollenbeck	McMurray	Seeley	Townsend
Dewey	Howell	S. F. Miller	Smalley	Weed
Edwards	Hull	Payne	Speaker	Whitman
Gibbs	Mat. Hutchinson	Peters	Stephens	D. P. Wood

On motion of Mr. Peters, it was unanimously
Resolved, That the Speaker be authorised to adjourn the House.
At twenty minutes past 7 o'clock, the Speaker declared the
House adjourned until to-morrow morning at 9 o'clock.

TUESDAY, APRIL 11, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. —.

The minutes of yesterday were read and approved.

Mr. Chesebro, from the select committee to which was referred the bill entitled "An act to amend the Revised Statutes, relating to the sale of drugs and medicines," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act for the further protection of emigrant passengers arriving at the port and city of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of bridge companies, passed April 11, 1848,' as far as the same may relate to any company that may be organised to construct certain toll bridges across the Chenango and Susquehanna rivers," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Harpur, and by unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to define the powers and duties of the special county judge and special surrogate of Chautauque county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Angle, from the select committee to which was referred the bill entitled "An act relative to the rights of married women," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. S. Baldwin, from the committee on claims, to which was referred the bill entitled "An act for the relief of Wells D. Walbridge for canal damages," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. S. Baldwin, from the committee on claims, to which was referred the Senate bill entitled "An act to authorise the appraisal and payment of canal damages of G. & J. W. Caldwell," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Williams, from the select committee to which was referred the bill entitled "An act enlarging and more strictly defining the powers of the trustees of the village of Addison," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Weed, from the committee on roads and bridges, to which was referred the bill entitled "An act for the continuation of Flatbush avenue from the city line of Brooklyn into the town of Flatbush," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

On motion of Mr. Bergen, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Mallory, from the select committee to which was referred the bill entitled "An act to amend the sixteenth section of title second, chapter fifth, of the second part of the Revised Statutes," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Boardman, from the select committee to which was referred the bill entitled "An act relative to the commutation of taxes in the county of Albany," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Backus, from the select committee to which was referred the bill entitled "An act to revise and amend the several acts relating to the city of Brooklyn," passed April 4, 1850," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

Mr. Backus, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to establish fire limits, and the more effectual prevention of fires in the city of Brooklyn,' passed April 16, 1852," to report complete, re-

ported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The select committee, consisting of the Oneida co. delegation, to which was referred the bill entitled "An act to amend chapter 452 of the Laws of 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Boyd, from the select committee to which was referred the bill entitled "An act to enable Isabella McDonald to take, hold and convey real estate," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Boyd, from the committee on the petitions of aliens, to which was referred the bill entitled "An act to enable Annette Wilkes, an infant alien, to take and hold real estate," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Boyd, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Mallory, from the select committee to which was referred the bill entitled "An act in relation to the criminal courts in the city and county of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burnett, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm and legalise the acts and proceedings of the court of sessions in Livingston county, at a term thereof appointed and held on the third Monday of March, 1854," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Sill asked and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the Cayuga creek road, in the county of Erie, passed March 29, 1848, March 27, 1849, June 20, 1851, and April 9, 1853,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sill,

Said bill was referred to a select committee, to report complete.

By unanimous consent,

Mr. Williams asked and obtained leave to bring in a bill entitled "An act to divide the town of Addison, in the county of Steuben, and erect the town of Tuscarora therefrom," which was read the first time, and by unanimous consent was also read the

second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Williams, and by unanimous consent,
Said committee were empowered to report said bill complete.

By unanimous consent,

Mr. Bergen asked and obtained leave to introduce a bill entitled "An act to provide for the payment of certain expenses incurred by the commissioners appointed in pursuance of the act entitled 'An act to provide for the consolidation of the cities of Brooklyn and Williamsburgh and the town of Bushwick,' passed July 18, 1853," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Clinton asked and obtained leave to introduce a bill entitled "An act to prevent the abuse of horses," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clinton, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Speaker announced as such select committee, Messrs. Joy, Leigh and Stephens.

By unanimous consent,

Mr. Bergen presented a remonstrance of Samuel Fleet and others, against some of the provisions of the bill to widen Fulton street, Brooklyn, which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Mitchell presented the petition of Clogher & Johnson for relief, which was read and referred to the committee on claims.

By unanimous consent,

Mr. Searing asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Hempstead, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Searing, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Searing asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Atlantic Mutual Insurance company of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Searing,

Said bill was referred to the committee on insurance companies, to report complete.

By unanimous consent,

Mr. Clinton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the

building of a draw bridge across the Conjoacketies creek, in the town of Black Rock, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clinton,

Said bill was referred to the committee on commerce and navigation, to report complete.

Mr. Mallory, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the powers and duties of receivers," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

By unanimous consent,

Mr. Boardman asked and obtained leave to introduce a bill entitled "An act to incorporate a fire department in the village of Rome," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Boardman, and by unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Germain asked and obtained leave to introduce a bill, entitled "An act relating to the powers and duties of receivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Germain, and by unanimous consent,

Said committee were empowered to report the same complete.

By unanimous consent,

Mr. D. Willis asked and obtained leave to introduce a bill entitled "An act to incorporate the Protection Insurance company of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. D. Willis, and by unanimous consent,

Said bill was referred to a select committee to report complete.

Mr. Speaker announced as such select committee, Messrs. Gibbs, Littlefield and D. Willis.

On motion of Mr. Burnett, and by unanimous consent,

The bill entitled "An act relating to the powers of the committees of the Senate and Assembly to punish for contempt," was ordered engrossed for a third reading.

On motion of Mr. Peters, and by unanimous consent,

The bill entitled "An act to amend the Revised Statutes, relating to the crime of arson," was ordered engrossed for a third reading.

On motion of Mr. Savage, two-thirds voting in favor thereof,

Resolved, That Senate bill No. 101, relative to the harbor of New-York, be made the special order for this evening.

Mr. Baker offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the consideration of private claims be made the special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the negative, two-thirds of the members not voting in favor thereof.

By unanimous consent,

Mr. Benedict gave notice that he would, at an early, ask leave to suspend the rule, so far as it may affect the bill to amend the charter of the Black river and Utica railroad company.

Mr. May offered for the consideration of the House a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That the members of Congress from the State of New-York, be and are hereby requested, to have a committee appointed to investigate the subject of the lost treasury notes, which were lost during the administration of John Tyler, with power to send for persons and papers, to ascertain as far as practicable, all matters in any way appertaining, or belonging thereto; by whom they were taken from the Register's office, and what Register first discovered the loss, and the amount of those lost in the city of Washington, and the amount of those lost from the New Orleans Custom House, and who was the Secretary of the Treasury at the time, as President Tyler had no less than three during his administration, viz: one from Pennsylvania, one from New-York and one from Kentucky; and that said committee make a full report of all matters relating thereto to Congress, that the people may see what care is taken of the Treasury in which all are interested. The Governor of the State is requested to forward to each member of Congress, a copy of the above.

Ordered, That said resolution be laid on the table.

The House then resolved itself into a committee of the whole upon the following entitled bills:

"An act for the relief of Henry Dygert for the loss of a canal boat and furniture."

"An act for the relief of Ebenezer Prescott."

"An act for the relief of Alva Whedon, Giles Hawley, Edward Dickinson, William Foot and Abraham E. Culver, for damages sustained by the sinking of the canal boat R. B. Duxtater."

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. McMurray, from said committee, reported that the committee had gone through said first mentioned bill, and had struck out all after the enacting clause, which report was agreed to.

Mr. McMurray, from the same committee, reported progress on the said second mentioned bill, and asked and obtained leave to sit again.

Mr. McMurray, from the same committee, reported that the committee had gone through said third mentioned bill, and had struck out all after the enacting clause, which report was agreed to.

The bill entitled "An act for the payment of the St. Regis tribe of Indians their damages in consequence of having been dispossessed by this State of Barnhart and Baxter Islands, in the river St. Lawrence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 66 }
{ NOES 18 }

Those who voted in the affirmative are,

Angle	Clinton	Hall	Mallory	Ross
Bailey	Cook	Harris	Mather	Rowland
E. J. Baldwin	Collins	Hatch	May	Savage
S. Baldwin	Cushman	Hinkley	McMurray	Searing
Barrow	Dewey	Holdridge	Mills	Sealey
Barton	A. A. Dunlop	Howell	Mitchell	Sill
Baucus	R. Dunlap	Hoyle	Morris	Smalley
Beers	Edwards	Hull	Noble	Stephens
Benedict	Ferguson	Mat. Hutchinson	Odell	Ward
Bergen	Fiero	Jenkins	Palmer	Ware
Boardman	Freeman	Kirkland	Payne	Wart
Beetwick	Gibbs	Leigh	Preston	D. White
Bruat	Graham	Littlefield	Richardson	Williams
Chesbro				

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Those who voted in the negative are,

Backus	Cumming	S. F. Miller	Suffern	Whitman
Bennett	Harper	Peters	Thorn	Winn
Burnett	Kinney	Speaker	Weed	W. H. Wood
Case	Legg	Sterling		

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the time of holding the annual meeting for the election of directors of the East Hamburg turnpike road company to reduce the number of directors of said company, and to authorize said company to take increased rates of toll," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 47 }
{ NOES 25 }

Those who voted in the affirmative are,

Bailey	Cook	Mat. Hutchinson	Mitchell	Stephens
Baker	Dewey	Kirkland	Morris	Sterling
Backus	A. A. Dunlop	Leigh	Noble	Thorn
S. Baldwin	Ferguson	Littlefield	Odell	Underwood
Barton	Fiero	Mallory	Palmer	Ward

Benedict	Gorham	Mather	Boyland	Wart
Bennett	Graham	May	Searing	Whipple
Bergen	Hall	Mills	Seeley	Whitman
Boardman	Harris	S. F. Miller	Sill	W. H. Wood
Bostwick	Hoyle			

Those who voted in the negative are,

Angle	Case	Freeman	Kinney	Smalley
R. J. Baldwin	Chesebro	Germain	Legg	Speaker
Baucus	Cumming	Harpur	Payne	Suffern
Beers	Cushman	Hollenbeck	Peters	Wilder
Boyd	R. Dunlap	Howell	Richardson	J. E. Willis
Brust	Edwards	Hull		

By unanimous consent,

The bill entitled "An act to extend the time for the collection of taxes in the county of Queens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Harris	Mitchell	Sterling
Baker	Cook	Hinkley	Morris	Suffern
Bacus	Cushman	Hollenbeck	Noble	Thorn
R. J. Baldwin	Dawson	Mat. Hutchinson	Odell	Underwood
S. Baldwin	Dewey	Mos. Hutchinson	Payne	Ward
Barrow	A. A. Dunlop	Jenkins	Preston	Ware
Barton	R. Dunlap	Kinney	Randall	Wart
Baucus	Edwards	Kirkland	Richards	Weed
Benedict	Ferguson	Legg	Richardson	Whipple
Bennett	Fiero	Littlefield	Rowland	Whitman
Bergen	Freeman	Lozier	Savage	Wilson
Boardman	Germain	Mallory	Scott	Wilder
Bostwick	Gibbs	Mather	Searing	D. Willis
Boyd	Gorham	May	Seeley	J. E. Willis
Brust	Graham	McMurray	Sill	Williams
Burnett	Hall	Mills	Smalley	Winne
Case	Harpur	S. F. Miller	Speaker	W. M. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to incorporate the city of Troy,' passed April 12, 1826," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hull	Nelson	Thompson
Bailey	Cushman	Mat. Hutchinson	Noble	Thorn
Baker	Dawson	Jenkins	Odell	Underwood
Backus	Dewey	Kinney	Palmer	Ward
S. Baldwin	A. A. Dunlap	Kirkland	Peters	Wart
Barrow	R. Dunlap	Littlefield	Preston	Whipple
Barton	Edwards	Littlejohn	Randall	White
Baucus	Ferguson	Lozier	Richards	Whitman
Beers	Fiero	Mallory	Richardson	Wilson
Benedict	Freeman	Mather	Rose	Wilder
Bennett	Germain	May	Rowland	D. Willis
Bergen	Graham	McGraw	Searing	J. E. Willis
Boardman	Hall	McMurray	Sill	Williams
Bostwick	Harper	Mills	Speaker	Winne
Brust	Hinkley	S. F. Miller	Sterling	W. H. Wood
Case	Hoyle	Mitchell	Suffern	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of village officers in the village of Newark," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Harper	S. F. Miller	Speaker
Bailey	Cook	Harris	Mitchell	Sterling
Backus	Collins	Hatch	Morris	Thorn
R. J. Baldwin	Cumming	Hinkley	Noble	Ward
S. Baldwin	Cushman	Hollenbeck	Odell	Ware
Barrow	Dawson	Hoyle	Palmer	Wart
Barton	Dewey	Hull	Payse	Weed
Baucus	A. A. Dunlap	Mat. Hutchinson	Peters	Whipple
Beers	R. Dunlap	Jenkins	Preston	White
Benedict	Edwards	Kinney	Randall	Whitman
Bennett	Ferguson	Legg	Richardson	Wilder
Bergen	Fiero	Littlefield	Rowland	D. Willis
Boardman	Germain	Mallory	Searing	J. E. Willis
Bostwick	Gibbs	May	Seeley	Williams
Brust	Gorham	McMurray	Sharp	Winne
Case	Hall	Mills	Sill	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Washington," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Odell	Sterling
Bailey	Cushman	Mat. Hutchinson	Palmer	Suffern
Baker	Dawson	Jenkins	Payne	Thorn
Backus	Dewey	Kinney	Peters	Ward
R. J. Baldwin	A. A. Dunlop	Kirkland	Preston	Ware
S. Baldwin	R. Dunlap	Legg	Randall	Wart
Barrow	Edwards	Leigh	Richards	Weed
Barton	Ferguson	Littlefield	Richardson	Whipple
Beers	Fiero	Mallory	Rose	White
Benedict	Freeman	Mather	Rowland	Whitman
Bennett	Germain	May	Savage	Wilson
Bergen	Graham	McGraw	Searing	Wilder
Boardman	Harpur	McMurray	Sessions	D. Willis
Bostwick	Harris	Mills	Seeley	Williams
Brust	Hatch	Mitchell	Sill	Wiane
Burnett	Hinkley	Munroe	Speaker	D. P. Wood
Case	Holdridge	Noble	Stephens	W. H. Wood
Chesebro				

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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to enable William Russell, Alexander Russell, Ellen Bryce and James Bryce, aliens, to take and hold real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 73 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Hatch	Odell	Suffern
Baker	Chesebro	Hinkley	Palmer	Thorn
Backus	Cook	Holdridge	Payne	Ward
R. J. Baldwin	Cumming	Howell	Preston	Wart
S. Baldwin	Dewey	Mat. Hutchinson	Randall	Weed
Barrow	Edwards	Jenkins	Rose	Whipple
Barton	Ferguson	Kinney	Rowland	White
Bancus	Fiero	Kirkland	Searing	Whitman
Beers	Freeman	Leigh	Seeley	Wilson
Benedict	Germain	Lozier	Sheeley	Wilder
Bergen	Gorham	Mallory	Smalley	D. Willis
Boardman	Graham	McMurray	Speaker	Williams
Bostwick	Hall	S. F. Miller	Stephens	Winne
Brust	Harpur	Mitchell	Sterling	W. H. Wood
Bennett	Harris	Munroe		

78

For the negative,

Cushman

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to enable the Buffalo and New-York city railroad company to increase its capital, and to issue a preferred stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Holdridge	Morris	Suffern
Bailey	Cook	Hoyle	Noble	Thorn
Baker	Collins	Hull	Odell	Underwood
Beckus	Cumming	Mat. Hutchison	Palmer	Ware
R. J. Baldwin	Cushman	Jenkins	Peters	Wart
S. Baldwin	Dawson	Kinney	Randall	Weed
Barton	A. A. Dunlop	Kirkland	Richards	Whipple
Baucus	Edward	Leigh	Rose	White
Beers	Ferguson	Littlefield	Rowland	Whitman
Benedict	Fiero	Lozier	Searing	Wilson
Bennett	Freeman	Mallory	Seeley	Wilder
Bergen	Germain	Mather	Sheeley	D. Willis
Boardman	Gibbs	May	Sill	J. B. Willis
Bedwick	Hall	McMurray	Smalley	Williams
Boyd	Harpur	Mills	Speaker	Winne
Brust	Harris	S. F. Miller	Stephens	D. P. Wood
Burnett	Hatch	Mitchell	Sterling	W. H. Wood

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to enable Isabella McDonald to take, hold and convey real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 95 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	S. F. Miller	Sterling
Bailey	Collins	Hollenback	Mitchell	Suffern
Baker	Cumming	Howell	Noble	Thorn
R. J. Baldwin	Cushman	Hoyle	Odell	Underwood
S. Baldwin	Dawson	Hull	Palmer	Ward
Barrow	Dewey	Mat. Hutchison	Payne	Ware
Barton	A. A. Dunlop	Jenkins	Peters	Weed
Baucus	R. Dunlap	Kinney	Preston	Whipple
Beers	Edwards	Kirkland	Randall	White
Benedict	Ferguson	Legg	Richardson	Whitman
Bennett	Fiero	Leigh	Rose	Wilson
Bergen	Freeman	Littlefield	Rowland	Wilder
Boardman	Germain	Lozier	Searing	D. Willis
Bedwick	Gorham	Mallory	Seeley	J. E. Willis
Boyd	Graham	Martin	Sheeley	Williams
Brust	Hall	Mather	Sill	Winne

Chase	Harper	May	Smalley	D. P. Wood
Chesebro	Harris	McMurray	Speaker	J. S. Wood
Clinton	Hatch	Mills	Stephens	W. H. Wood

For the negative,

Backus

1

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the village of Rome to raise an additional sum of money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hull	Palmer	Thorn
Bailey	Clinton	Mat. Hutchinson	Payas	Ward
Baker	Cook	Jenkins	Peters	Ware
R. J. Baldwin	Collins	Kinney	Preston	Wart
S. Baldwin	Cushman	Kirkland	Richardson	Weed
Barrow	Dawson	Legg	Ross	Whipple
Bancus	A. A. Dunlop	Leigh	Rowland	White
Bears	Ferguson	Lozier	Savage	Whitman
Benedict	Fiero	Mallory	Searing	Wilson
Bennett	Freeman	Mather	Sealey	Wilder
Bergen	Germain	May	Shesley	D. Willis
Boardman	Hall	McGraw	Sill	J. E. Willis
Boatwick	Harpur	McMurray	Smalley	Williams
Boyd	Harris	S. F. Miller	Speaker	Winne
Brust	Hollenbeck	Mitchell	Stephens	D. P. Wood
Burnett	Howell	Morris	Sterling	J. S. Wood
Case	Hoyle	Noble	Suffern	W. H. Wood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Gibbs, on his own motion, was granted leave of absence for the remainder of the session.

Mr. D. P. Wood moved to recommit the bill entitled "An act to amend an act to authorize the towns in Cattaraugus and Wyoming counties, to subscribe to the capital stock of the Allegany and Attica railroad," for amendment.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

The bill entitled "An act for the relief of Hobart Free College and Hamilton College," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Case	Hatch	G. Miller	Sterling
Bailey	Chesbro	Holdridge	L. Miller	Suffern
Baker	Cook	Hollenbeck	S. F. Miller	Thorn
Baucus	Cumming	Howell	Mitchell	Townsend
R. J. Baldwin	Dawson	Hull	Noble	Underwood
S. Baldwin	Dewey	Mat. Hutchinson	Palmer	Ward
Barrow	A. A. Dunlap	Jenkins	Payne	Ware
Barton	R. Dunlap	Kinney	Peters	Wart
Beers	Ferguson	Kirkland	Preston	White
Benedict	Fiero	Leigh	Richardson	Wilson
Bennett	Freeman	Lozier	Rowland	Wilder
Bergen	Germain	Mallory	Searling	J. E. Willis
Boardman	Gorham	Mather	Seeley	Winne
Boatwick	Hall	May	Sill	D. P. Wood
Boyd	Harpur	Mills	Speaker	J. S. Wood
Brust	Harris		Stephens	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorising the election of trustees and other officers of the village of Fonda," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	Payne	Suffern
Bailey	Cumming	Jenkins	Peters	Thorn
Baker	Dawson	Kinney	Preston	Underwood
R. J. Baldwin	Dewey	Kirkland	Richards	Ware
S. Baldwin	A. A. Dunlap	Leigh	Richardson	Wart
Barrow	R. Dunlap	Littlefield	Rowland	Weed
Barton	Ferguson	Lozier	Savage	Whipple
Baucus	Fiero	Mather	Searling	White
Beers	Freeman	May	Sessions	Whitman
Benedict	Germain	McGraw	Seeley	Wilson
Bennett	Graham	McMurray	Sharp	Wilder
Bergen	Hall	Mills	Sheeley	D. Willis
Boardman	Harpur	L. Miller	Sill	J. E. Willis
Boatwick	Harris	S. F. Miller	Smalley	Winne
Boyd	Hatch	Mitchell	Speaker	D. P. Wood
Burgess	Hoyle	Odell	Stephens	J. S. Wood
Case	Hull	Palmer	Sterling	W. H. Wood 86
Chesbro				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act declaring Black river a public highway, and regulating the passage of logs and lumber down from the Moose river tract to the junction with the Moose river, and for the improvement of the said river,' passed June 4, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00. }

Those who voted in the affirmative are,

Angle	Cumming	Hoyle	Noble	Stephens
Bailey	Cushman	Hull	Odell	Suffern
Baker	Dawson	Mat. Hutchinson	Palmer	Townsend
R. J. Baldwin	Dewey	Jenkins	Payne	Underwood
S. Baldwin	A. A. Dunlop	Kinney	Peters	Ward
Barton	R. Dunlap	Kirkland	Preston	Ware
Baucus	Ferguson	Legg	Richardson	Whipple
Beers	Fiero	Leigh	Rose	Wilson
Benedict	Freeman	Lozier	Savage	Wilder
Bergen	Germain	Mallory	Searing	D. Willis
Boardman	Gorham	Mather	Sessions	J. E. Willis
Boyd	Hall	May	Seeley	Williams
Brust	Harpur	McMurray	Sheeley	Winne
Case	Harris	Mills	Sill	D. P. Wood
Chesebro	Holdridge	Mitchell	Smalley	J. S. Wood
Cook	Hollenbeck	Morris	Speaker	. 79

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to incorporate the Atlantic and Pacific canal company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 16 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	Palmer	Sterling
Bailey	Cook	Holdridge	Peters	Thorn
R. J. Baldwin	Cumming	Hollenbeck	Preston	Townsend
S. Baldwin	Cushman	Jenkins	Richards	Ward
Barrow	Dawson	Legg	Rose	Ware
Barton	Dewey	Leigh	Rowland	Wart
Beers	Edwards	Lozier	Savage	Weed
Benedict	Ferguson	Mather	Searing	Whipple
Bennett	Germain	May	Sessions	Whitman
Bergen	Gorham	McMurray	Sheeley	Wilson
Boardman	Graham	Mills	Sill	Wilder
Boyd	Hall	L. Miller	Smalley	D. Willis
Brust	Harpur	S. F. Miller	Speaker	J. E. Willis
Case	Harris	Odell	Stephens	D. P. Wood

Those who voted in the negative are,

Baker	Hull	Kirkland	Suffern	Winne
Bostwick	Mat. Hutchinson	Mallory	Underwood	J. S. Wood
A. A. Dunlop	Kinney	Seeley	Williams	W. H. Wood
E. Dunlap				

14

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act declaring Alder Meadow brook a public highway, and regulating the passage of logs and timber down the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Case	Hinkley	Mitchell	Stephens
Baker	Chesebro	Holdridge	Morris	Sterling
S. Baldwin	Cook	Hollenbeck	Odell	Suffern
Barrow	Cumming	Hull	Palmer	Townsend
Barton	Dawson	Kinney	Peters	Underwood
Bancus	A. A. Dunlop	Kirkland	Preston	Ward
Beers	Edwards	Legg	Richardson	Ware
Benedict	Ferguson	Leigh	Rowland	Weed
Bennett	Fiero	Lozier	Savage	Whipple
Bergen	Freeman	Mallory	Seeley	Wilder
Boardman	Germain	Mather	Sheeley	Winne
Bostwick	Graham	May	Sill	D. P. Wood
Boyd	Hall	McMurray	Smalley	J. S. Wood
Brust	Harpur	Mills	Speaker	W. H. Wood
Barnet	h	L. Miller		

73

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Burnett moved a reconsideration of the vote just taken.

On motion of Mr. Burnett,

Said motion was laid upon the table.

Mr. Germain moved a reconsideration of the final vote taken to-day upon the bill entitled "An act for the relief of Hobart Free college and Hamilton college."

On motion of Mr. Sessions,

Said motion was laid on the table.

Mr. Thorn, on his own motion, was granted leave of absence for the remainder of the session.

On motion of Mr. Peters,

At twenty-five minutes past one o'clock p. m., the House took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act to revise and consolidate the laws in relation to Amsterdam village, in Montgomery county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burgess	Harris	May	Speaker
Aitken	Burnett	Hatch	McGraw	Suffern
Bailey	Chesebro	Hinkley	McMurray	Townsend
Baker	Clinton	Holdridge	Mills	Underwood
Backus	Cook	Hollenbeck	Mitchell	Wart
S. Baldwin	Collins	Hoyle	Morris	Weed
Barrow	Conkling	Hull	Palmer	Whipple
Barton	Cumming	Mat. Hutchinson	Payne	White
Baucus	Cushman	Jenkins	Peters	Whitman
Beers	Dawson	Kirkland	Randall	Wilson
Benedict	R. Dunlap	Legg	Richards	Wilder
Bennett	Fiero	Leigh	Rowland	D. Willis
Bergen	Freeman	Lozier	Sessions	J. E. Willis
Boardman	Germain	Maguire	Seeley	Williams
Bostwick	Gleason	Mallory	Sill	D. P. Wood
Boyd	Gorham	Mather	Smalley	W. H. Wood
Brust	Hall			

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to powers of committees of the Senate and Assembly to punish for contempts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Brust	Gott	Maguire	Speaker
Aitken	Burgess	Hall	Mallory	Stephenr
Bailey	Bennett	Harris	Mather	Suffern
Backus	Cook	Hinkley	May	Townsend
S. Baldwin	Collins	Holdridge	McGraw	Underwood
Barrow	Conkling	Hollenbeck	McMurray	Weed

Barton	Cumming	Hoyle	Morris	Whipple
Baucus	Cushman	Hull	Noble	White
Beers	Dawson	Mat. Hutchinson	Palmer	Whitman
Bennett	Fiero	Jenkins	Payne	Wilson
Bergen	Freeman	Kirkland	Peters	D. Willis
Boardman	Germain	Legg	Rowland	J. E. Willis
Bostwick	Gleason	Leigh	Sessions	W. H. Wood
Boyd	Gorham	Lozier		68

Those who voted in the negative are,

Benedict	Chesebro	Mills	Seeley	Wart	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the criminal courts of the city and county of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Cushman	Holdridge	McMurray	Sill
Bailey	R. Dunlap	Hollenbeck	Mills	Speaker
Baker	Ferguson	Hoyle	L. Miller	Suffern
R. J. Baldwin	Fiero	Hull	S. F. Miller	Townsend
Barton	Freeman	Mat. Hutchinson	Mitchell	Underwood
Beers	Germain	Jenkins	Morris	Ware
Benedict	Gorham	Kirkland	Nelson	Wart
Bennett	Gott	Legg	Palmer	Weed
Bostwick	Graham	Leigh	Payne	Whipple
Boyd	Hall	Lozier	Peters	White
Brust	Harpur	Maguire	Randall	Wilson
Chesebro	Harris	Mallory	Rowland	Wilder
Cook	Hatch	May	Sessions	J. E. Willis
Cumming	Hinkley	McGraw	Seeley	D. P. Wood 70

Those who voted in the negative are,

Aitken	Barrow	Clinton	Whitman	Williams	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Germain moved to reconsider the final vote taken to-day upon the bill entitled "An act to change the time of holding the annual meeting for the election of directors of the East Ham-burgh turnpike road company, to reduce the number of directors of said company, and to authorise said company to take increased rates of toll."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Germain, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Chesebro	Harris	Mills	Smalley
Aitken	Clinton	Hatch	L. Miller	Speaker
Bailey	Cook	Hinkley	Mitchell	Suffern
Backus	Conkling	Holdridge	Morris	Townsend
R. J. Baldwin	Cumming	Hollenbeck	Odell	Underwood
Barrow	R. Dunlap	Hoyle	Palmer	Wart
Barton	Edwards	Hull	Payne	Weed
Beers	Ferguson	Mat. Hutchinson	Peters	Whipple
Bennett	Fiero	Jenkins	Randall	Whitman
Boardman	Freeman	Kirkland	Richards	Wilson
Bostwick	Germain	Leigh	Richardson	D. Willis
Boyd	Gorham	Maguire	Rowland	J. E. Willis
Brust	Graham	Mather	Sessions	D. P. Wood
Burgess	Hall	McGraw	Seeley	W. H. Wood
Burnett	Harpur	McMurray	Sill	

74

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Cumming	Hoyle	S. F. Miller	Townsend
Bailey	R. Dunlap	Hull	Mitchell	Underwood
Baker	Ferguson	Jenkins	Morris	Ware
R. J. Baldwin	Fiero	Kinney	Odell	Wart
Barrow	Freeman	Kirkland	Palmer	Weed
Beers	Germain	Legg	Randall	Whipple
Bennett	Gorham	Leigh	Richards	White
Boardman	Graham	Maguire	Richardson	Whitman
Bostwick	Hall	Mallory	Rowland	Wilson
Boyd	Harpur	Mather	Sessions	Wilder
Brust	Harris	May	Seeley	D. Willis
Burgess	Hatch	McGraw	Sill	J. E. Willis
Burnett	Hinkley	McMurray	Smalley	W. H. Wood
Cook	Holdridge	Mills	Speaker	

69

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorise the water commissioners of the village of Watertown to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Conkling	Harris	Mitchell	Sterling
Bailey	Cumming	Hatch	Morris	Suffern
Baker	Cushman	Hinkley	Odell	Thompson
Backus	Dawson	Holdridge	Palmer	Townsend
Barrow	Dewey	Mat. Hutchinson	Payne	Underwood
Baucus	A. A. Dunlop	Jenkins	Peters	Ware
Beers	R. Dunlap	Kirkland	Richards	Wart
Benedict	Edwards	Legg	Richardson	Weed
Bennett	Ferguson	Leigh	Rowland	Whipple
Bergen	Fiero	Lozier	Savage	White
Boardman	Freeman	Magnire	Searing	Whitman
Bostwick	Germain	Mallory	Seeley	Wilson
Brust	Gibbs	Mather	Sheeley	Wilder
Burgess	Gorham	McGraw	Sill	D. Willis
Burnett	Gott	McMurray	Smalley	J. E. Willis
Chesebro	Hall	Mills	Speaker	D. P. Wood
Collins	Harpur			

82

For the negative,

Aitken

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act making the village of Esperance, Schoharie county, a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Brust	Graham	McGraw	Speaker
Aitken	Burgess	Hall	McMurray	Sterling
Bailey	Burnett	Harpur	L. Miller	Suffern
Baker	Chesebro	Harris	S. F. Miller	Townsend
R. J. Baldwin	Clinton	Hatch	Mitchell	Underwood
S. Baldwin	Cook	Hinkley	Palmer	Wart
Barrow	Cumming	Holdridge	Peters	Weed
Barton	Dawson	Hoyle	Richardson	Whipple
Baucus	A. A. Dunlop	Hull	Rose	White
Beers	Ferguson	Mat. Hutchinson	Scott	Whitman
Benedict	Fiero	Jenkins	Searing	Wilson
Bennett	Freeman	Kirkland	Seeley	Wilder
Bergen	Germain	Leigh	Sheeley	D. Willis
Boardman	Gleason	Mallory	Sill	J. E. Willis
Bostwick	Gorham	Mather	Smalley	D. P. Wood
Beyd	Gott			

77

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act in relation to the court of common pleas for the city and county of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Harpur	Mather	Speaker
Aitken	Clinton	Harris	May	Stephens
Bailey	Cumming	Hatch	McMurray	Suffern
Baker	Cushman	Holdridge	Mills	Townsend
R. J. Baldwin	Dawson	Hollenbeck	Mitchell	Underwood
S. Baldwin	Dewey	Howell	Morris	Ware
Barrow	A. A. Dunlop	Hoyle	Palmer	Wart
Benedict	R. Dunlap	Hull	Peters	Weed
Bennett	Edwards	Mat. Hutchinson	Rose	White
Bergen	Ferguson	Jenkins	Rowland	Whitman
Boardman	Fiero	Kinney	Savage	Wilson
Boyd	Freeman	Kirkland	Sessions	Wilder
Brust	Germain	Leigh	Seeley	J. E. Willis
Burgess	Gorham	Lozier	Sheeley	Winne
Burnett	Gott	Maguire	Sill	W. H. Wood
Case	Graham	Mallory	Smalley	

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to appoint commissioners to locate a second New-York State lunatic asylum," coming up for its third reading,

On motion of Mr. Sessions,

Said bill was referred to the committee on ways and means.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn and Gowanus toll bridge company,' passed April 29, 1833," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 47 }
{ NOES 28 }

Those who voted in the affirmative are,

Angle	Burnett	Harpur	Leigh	Sessions
Bailey	Clinton	Harris	Mallory	Seeley
Baker	Cumming	Hoyle	McMurray	Speaker
S. Baldwin	Cushman	Hull	Morris	Underwood
Barrow	A. A. Dunlop	Mat. Hutchinson	Noble	Ware
Bennett	Edwards	Mos. Hutchinson	Palmer	Weed
Bergen	Germain	Jenkins	Peters	Wilson
Bostwick	Gleason	Kinney	Richardson	D. Willis
Boyd	Gott	Kirkland	Savage	D. P. Wood
Burgess	Hall			

47

Those who voted in the negative are,

B. J. Baldwin	Chesebro	Legg	Sheeley	Townsend
Barton	Conkling	Lozier	Sill	Wart
Baucus	R. Dunlap	Mather	Smalley	Whitman
Beers	Fiero	Mills	Sterling	Wilder
Brust	Freeman	Payne	Suffern	Williams
Case	Hollenbeck	Searing		

28

Mr. Searing moved a reconsideration of the vote just taken.

On motion of Mr. Searing,

Said motion was laid on the table.

The bill entitled "An act to change the name of the town of Union to that of North Hampton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Harris	McMurray	Speaker
Aitken	Case	Holdridge	L. Miller	Stephens
Bailey	Chesebro	Hollenbeck	Mitchell	Sterling
Baker	Clinton	Hoyle	Morris	Suffern
B. J. Baldwin	Cook	Hull	Munroe	Townsend
S. Baldwin	Collins	Mat. Hutchinson	Nelson	Underwood
Barrow	Conkling	Mos. Hutchinson	Noble	Ward
Barton	Cumming	Jenkins	Odell	Wart
Baucus	Cushman	Kinney	Palmer	Weed
Beers	Dawson	Kirkland	Peters	Whipple
Benedict	A. A. Dunlap	Legg	Richardson	White
Bennett	R. Dunlap	Leigh	Rowland	Whitman
Bergen	Edwards	Lozier	Sessions	Wilson
Boardman	Ferguson	Maguire	Seeley	D. Willis
Boatwick	Freeman	Mallory	Sheeley	J. E. Willis
Boyd	Gorham	Mather	Sill	Williams
Brust	Gott	May	Smalley	D. P. Wood
Burgess	Harpur			

87

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mallory moved to take from the table the bill relating to Hobart Free College and Hamilton College.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Mallory, and it was determined in the negative.

The bill entitled "An act to amend the act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Boyd	Harris	S. F. Miller	Sill
Aitken	Burgess	Hatch	Mitchell	Speaker
Bailey	Burnett	Hoyle	Noble	Stephens
Baker	Case	Mat. Hutchinson	Odell	Sterling
Backus	Conkling	Mos. Hutchinson	Palmer	Suffern
R. J. Baldwin	Cumming	Jenkins	Payne	Townsend
S. Baldwin	Dawson	Kinney	Peters	Underwood
Barrow	A. A. Dunlop	Kirkland	Preston	Ware
Barton	Edwards	Legg	Randall	Wart
Baucus	Ferguson	Leigh	Richards	Weed
Beers	Freeman	Lozier	Richardson	Whipple
Benedict	Germain	Maguire	Rowland	White
Bennett	Gorham	Mather	Searing	D. Willis
Bergen	Gott	McGraw	Seeley	J. E. Willis
Boardman	Graham	Mills	Sheeley	D. P. Wood
Bostwick	Harpur			

77

Those who voted in the negative are,

Clinton	Cushman	Hinkley	Mallory	Sessions
Collins	R. Dunlap	Hollenbeck		8

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hutchinson asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Hutchinson, and it was determined in the negative.

Mr. Mallory asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Mallory, and it was determined in the negative.

The bill entitled "An act for the relief of Elias P. Gilman," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Bennett	Graham	Mallory	Sill
Aitken	Case	Harpur	Mather	Smalley
Bailey	Chesebro	Harris	Mills	Speaker
Baker	Clinton	Hatch	Mitchell	Suffern
Backus	Conkling	Holdridge	Morris	Townsend
S. Baldwin	Cushman	Howell	Noble	Underwood
Barrow	Dawson	Hoyle	Palmer	Ware
Beers	A. A. Dunlop	Hull	Randall	Wart
Benedict	R. Dunlap	Mat. Hutchinson	Richards	Weed
Bennett	Edwards	Mos. Hutchinson	Richardson	White
Bergen	Ferguson	Jenkins	Rose	Whitman
Boardman	Gier	Kinney	Rowland	Wilson
Bostwick	Germain	Kirkland	Savage	D. Willis

Boyd
Brust
Burgess

Gleason
Gorham
Gott

Lozier
Maguire

Seeley
Sheeley

D. P. Wood
J. S. Wood

77

For the negative,

Legg

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Secretary of State, transmitting to the Legislature his report of statistics relative to the poor.

Mr. Palmer offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That 1,000 copies of the report of the Secretary of State, of the statistics relative to the poor, be printed for the use of this House, and 200 for the use of the Secretary.

On motion of Mr. Palmer,

The rule was suspended, two-thirds voting in favor thereof, for the purpose of the immediate consideration of said resolution.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

The bill entitled "An act to incorporate the local Preachers' Association of the Methodist Episcopal church of New-York and Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Burgess	Holdridge	McGraw	Smalley
Aitken	Case	Hollenbeck	McMurray	Speaker
Bailey	Chesebro	Howell	Mills	Townsend
Baker	Clinton	Hoyle	S. F. Miller	Underwood
Backus	Cumming	Hull	Mitchell	Wart
R. J. Baldwin	Cushman	Mat. Hutchinson	Noble	Weed
S. Baldwin	R. Dunlap	Kinney	Palmer	Whipple
Barrow	Ferguson	Kirkland	Preston	White
Beers	Freeman	Leigh	Randall	Wilson
Benedict	Germain	Lozier	Richardson	Wilder
Bennett	Gott	Maguire	Rowland	Williams
Boardman	Harpur	Mallory	Sessions	D. P. Wood
Bostwick	Harris	Mather	Sheeley	J. S. Wood
Boyd	Hatch	May	Sill	W. H. Wood
Brust	Hinkley			

72

Those who voted in the negative are,

Burnett	Jenkins	Seeley	Suffern	Whitman
Dawson				

6

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Germain,
Leave of absence was granted to Mr. Robertson for the remainder of the session.

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess.

SEVEN O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to amend an act entitled 'An act to authorise the construction of a canal in the city of Brooklyn for drainage and other purposes,' passed March 6, 1849," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Morris, and by unanimous consent,
Said bill was referred to a select committee consisting of the Kings county delegation, to report complete.

"An act for the incorporation of companies to navigate lakes and rivers," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Germain, and by unanimous consent,
Ordered, That said bill be read a third time.

"An act to authorise the Napanoch and Denning plank road company to issue a preferred stock, or to mortgage their road," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gorham, and by unanimous consent,
Ordered, That said bill be read a third time.

"An act to incorporate the Yonkers water works company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Odell, and by unanimous consent,
Said committee were empowered to report the same complete.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bills entitled as follows:

"An act to authorise the town of Lenox to raise money by tax for road purposes."

"An act in relation to examination of witnesses."

The bill entitled "An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Hinkley	McMurray	Sill
Aitken	Chesebro	Holdridge	Mills	Smalley
Bailey	Clinton	Hollenbeck	L. Miller	Speaker
Baker	Collins	Hoyle	Mitchell	Thompson
Backus	Conkling	Hull	Morris	Underwood
S. Baldwin	Crocheron	Mat. Hutchinson	Nelson	Ward
Barton	Cumming	Jenkins	Odell	Wart
Baucus	Ferguson	Kirkland	Peters	Whipple
Beers	Fiero	Legg	Preston	White
Benedict	Freeman	Leigh	Richards	Whitman
Bennett	Germain	Littlefield	Rose	Wilson
Bergen	Gorham	Lozier	Rowland	Wilder
Boardman	Graham	Maguire	Savage	J. E. Willis
Boyd	Hall	Mallory	Searing	Williams
Brust	Harpur	Martin	Sessions	D. P. Wood
Burgess	Harris	May	Seeley	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara and Dutchess," coming up for its third reading,

On motion of Mr. Lozier, and by unanimous consent,

Said bill was amended by extending its provisions to Livingston county.

On motion of Mr. Seeley, and by unanimous consent,

Said bill was further amended by extending its provisions to Otsego county.

On motion of Mr. Lewis, and by unanimous consent,

Said bill was further amended by extending its provisions to Lewis county.

On motion of Mr. Mills, and by unanimous consent,

Said bill was further amended by extending its provisions to Orange county.

On motion of Mr. Williams, and by unanimous consent,

Said bill was further amended by extending its provisions to Steuben county.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Dewey	Hoyle	S. F. Miller	Speaker
Aitken	Ferguson	Hull	Mitchell	Sterling
R. J. Baldwin	Fiero	Mat. Hutchinson	Morris	Suffern
Barton	Freeman	Kinney	Noble	Townsend
Bancus	Germaine	Kirkland	Odell	Ward
Beers	Gleason	Legg	Palmer	Wart
Bergen	Gorham	Leigh	Peters	Whipple
Boardman	Graham	Lozier	Richards	Wilson
Bostwick	Hall	Maguire	Rose	Wilder
Boyd	Harpur	Mather	Rowland	D. Willis
Case	Harris	May	Savage	J. E. Willis
Collins	Hinkley	McGraw	Searing	Williams
Conkling	Holdridge	McMurray	Sessions	D. P. Wood
Crocheron	Hollenbeck	Mills	Seeley	W. H. Wood
Cumming	Howell	L. Miller	Smalley	74

Those who voted in the negative are,

Baker	Mallory	Underwood	White	Whitman
S. Baldwin				6

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

Mr. W. H. Wood, from the select committee to which was referred the bill entitled "An act to amend the act authorising any town in Wyoming and Cattaraugus counties to subscribe for stock to the Attica and Allegany railroad, and to issue bonds therefor," to report complete immediately, reported the same complete with amendments, which report was agreed to.

Mr. D. P. Wood moved the adoption of the following resolution, two-thirds voting in favor of the suspension of the rule for the consideration of the same.

Resolved, (if the Senate concur,) That this Legislature adjourn *sine die* on Friday the 14th day of April inst., at 10 o'clock in the evening of that day.

Mr. Collins moved to amend by substituting "13th" for "14th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Collins, and it was determined in the negative.

Mr. Underwood moved to amend by substituting "2" for "10," as the hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

Mr. R. J. Baldwin moved to amend by substituting "8" for "10," as the hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. J. Baldwin, and it was determined in the negative.

Mr. Cook moved to amend by substituting "12 at noon" for "10 in the evening."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cook, and it was determined in the negative.

Mr. Benedict moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the negative.

Mr. Williams moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 31 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Atken	Fiero	Kinney	Ragdoll	Ward
Barton	Freeman	Kirkland	Richards	Ware
Baucus	Gorham	Leigh	Rose	Weed
Beers	Gott	Lozier	Rowland	Whipple
Boardman	Graham	Maguire	Savage	White
Bostwick	Hall	Mather	Searing	Whitman
Brust	Harris	McGraw	Speaker	Wilson
Burgess	Hollenbeck	McMurray	Sterling	J. E. Willis
Chesebro	Howell	Mills	Suffern	Williams
Cook	Hoyle	L. Miller	Thompson	D. P. Wood
Collins	Hull	S. F. Miller	Townsend	J. S. Wood
Dawson	Mat. Hutchinson	Palmer	Underwood	W. H. Wood
R. Dunlap	Jenkins			

63

Those who voted in the negative are,

Angle	Bergen	Cumming	Legg	Sessions
Bailey	Burnett	Cushman	Mallory	Seelye
Baker	Case	Ferguson	Morris	Sill
R. J. Baldwin	Clinton	Germain	Noble	Wart
S. Baldwin	Conkling	Harpur	Odell	Wilder
Barrow	Crocheron	Mos. Hutchinson	Peters	D. Willis
Bennett				

31

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act relating to the powers of committees of the Senate and Assembly to punish for contempts."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act to repeal an act entitled 'An act to erect the town of Gardener, in the county of Ulster,' passed April 2, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 69 }
{ NOES 16 }

Those who voted in the affirmative are,

Angle	Chesebro	Harpur	Martin	Speaker
Bailey	Cook	Harris	Mather	Sterling
Baker	Conkling	Hinkley	May	Suffern
Backus	Cumming	Holdridge	McGraw	Townsend
R. J. Baldwin	Cushman	Howell	McMurray	Underwood
Barton	Dewey	Hull	Mitchell	Ward
Beers	Ferguson	Mat. Hutchinson	Palmer	Weed
Benedict	Fiero	Mos. Hutchinson	Peters	Whipple
Bennett	Freeman	Jenkins	Rose	Wilder
Boardman	Germain	Kinney	Rowland	D. White
Boyd	Gleason	Kirkland	Searing	J. E. Williams
Burgess	Gorham	Legg	Sessions	Williams
Burnett	Gott	Leigh	Seeley	D. P. Wood
Cass	Graham	Mallory	Sill	

69

Those who voted in the negative are,

S. Baldwin	Dawson	Hollenbeck	Morris	Wilson
Bancus	R. Dunlap	Maguire	Odell	J. S. Wood
Brust	Hall	L. Miller	Whitman	W. H. Wood
Clinton				

16

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Conkling,

The motion to reconsider the bill entitled "An act relative to railroads held under lease," was taken from the table.

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 19 }

Those who voted in the affirmative are,

Angle	Burnett	Harpur	Mallory	SR
Aitken	Cass	Harris	May	Smalley

Bailey	Chasebro	Hinkley	McGraw	Speaker
Baker	Cook	Holdridge	Mitchell	Suffern
Backus	Conkling	Howell	Morris	Underwood
S. Baldwin	Crocheron	Hoyle	Noble	Ward
Barrow	Cumming	Hull	Palmer	Wart
Barton	Ferguson	Mat. Hutchinson	Peters	Weed
Beers	Fiero	Jenkins	Randall	Whipple
Benedict	Freeman	Kinney	Rowland	White
Bennett	Germain	Kirkland	Searing	Whitman
Bergen	Gleason	Legg	Sessions	D. Willis
Boardman	Gorham	Leigh	Seeley	D. P. Wood
Boyd	Graham	Lozier		

63

Those who voted in the negative are,

R. J. Baldwin	R. Dunlap	Martin	Rose	Williams
Baucus	Gott	Mather	Wilson	J. S. Wood
Brust	Hollenbeck	McMurray	Wilder	W. H. Wood
Cushman	Maguire	L. Miller	J. E. Willis	

19

On motion of Mr. Conkling,

Said bill was recommitted to a select committee.

Mr. Speaker announced as such committee Messrs. Cumming, Ward and Weed.

The bill entitled "An act to amend the act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hull	L. Miller	Thompson
Baker	Cook	Mat. Hutchinson	S. F. Miller	Underwood
Backus	Conkling	Jenkins	Morris	Ward
R. J. Baldwin	Crocheron	Kinney	Nelson	Wart
S. Baldwin	Cumming	Kirkland	Noble	Whipple
Barrow	Fiero	Legg	Palmer	White
Beers	Freeman	Leigh	Peters	Whitman
Benedict	Germain	Lozier	Preston	Wilson
Bennett	Gorham	Maguire	Rose	Wilder
Bergen	Gott	Mallory	Savage	D. Willis
Boardman	Graham	Martin	Searing	J. E. Willis
Bostwick	Harpur	Mather	Sessions	Williams
Boyd	Harris	May	Seeley	Wine
Brust	Holdridge	McGraw	Sill	D. P. Wood
Burnett	Hollenbeck	McMurray	Speaker	J. S. Wood
Cass	Hoyle	Mills	Suffern	W. H. Wood
Chasebro				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Mallory,

The bill entitled "An act for the relief of Hobart Free College and Hamilton College," was taken from the table.

After some debate upon the motion to reconsider,

Mr. Sessions moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sessions, and it was determined in the affirmative, as follows :

{ AYES 41 }
{ NOES 38 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Conking	Mat. Hutchinson	Morris	Wart
S. Baldwin	Crochere	Jenkins	Noble	Weed
Baucus	Cumming	Kinney	Rose	White
Bennett	Gorham	Kirkland	Savage	Whitman
Bostwick	Gott	Legg	Sessions	Wilder
Boyd	Harria	Maguire	Suffern	D. Willis
Brust	Howell	Martin	Thompson	J. E. Willis
Chesbro	Hoyle	McMurray	Underwood	W. H. Wood
Cook				

41

Those who voted in the negative are,

Bailey	Clinton	Hull	Mitchell	Ward
Baker	Collins	Leigh	Palmer	Ware
Backus	Cushman	Lozier	Peters	Whipple
Barrow	R. Dunlap	Mallory	Randall	Willson
Beers	Graham	Mather	Richards	Williams
Benedict	Harpur	L. Miller	Sim	D. P. Wood
Boardman	Hinkley	S. F. Miller	Speaker	J. S. Wood
Burnett	Hollenbeck			

37

On motion of Mr. Sessions,

At half-past ten o'clock p. m., the House adjourned.

WEDNESDAY, APRIL 12, 1854.

The House met pursuant to adjournment.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act to amend the charter of the village of Lansingburgh, and the several acts amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hollenbeck	Mitchell	Sterling
Aitken	Clinton	Hoyle	Morris	Suffern
Bailey	Cook	Hull	Nelson	Townsend
Baker	Conkling	Mos. Hutchinson	Payne	Underwood
Backus	Crocheron	Jenkins	Peters	Ward
R. J. Baldwin	Cumming	Kirkland	Randall	Ware
S. Baldwin	Dawson	Legg	Richards	Wart
Barton	R. Dunlap	Leigh	Rowland	Weed
Baucus	Fiero	Lozier	Savage	Whipple
Beers	Freeman	Magnire	Scott	Whitman
Benedict	Germain	Mallory	Searing	Wilson
Bennett	Gleason	Martin	Sessions	Wilder
Bergen	Gott	Mather	Seeley	D. Willis
Boardman	Hall	May	Sharp	J. E. Willis
Boyd	Harpur	McMurray	Smalley	D. P. Wood
Burgess	Harris	Mills	Speaker	J. S. Wood
Burnett	Holdridge	S. F. Miller	Stephens	W. H. Wood 85

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Angle moved a reconsideration of the vote taken yesterday on the bill entitled "An act for the payment of the St. Regis tribe of Indians their damages in consequence of having been dispossessed by this State of Barnhart and Baxter's islands, in the River St. Lawrence."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Angle, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Case	Holdridge	McMurray	Smalley
Bailey	Cook	Hollenbeck	Mills	Speaker
Backus	Conkling	Hull	S. F. Miller	Stephens
R. J. Baldwin	Cumming	Mat. Hutchinson	Morris	Suffern
Barton	R. Dunlap	Mos. Hutchinson	Nelson	Townsend
Baucus	Edwards	Jenkins	Peters	Ward
Beers	Fiero	Kinney	Richardson	Ware
Benedict	Freeman	Kirkland	Rowland	Weed
Bennett	Germain	Lee	Savage	White
Bergen	Gleason	Legg	Scott	Whitman
Boardman	Graham	Magnire	Searing	Wilson
Brust	Hall	Mallory	Sessions	J. E. Willis
Burgess	Harpur	Martin	Sharp	D. P. Wood
Burnett	Hinkley	McGraw		68

Those who voted in the negative are,

Dawson	Leigh	Mather	Mitchell	Willis
Ferguson				6

On motion of Mr. Burnett,
Said bill was referred to a select committee to report complete
forthwith.

Mr. Speaker announced as such committee Messrs. Burnett, S.
Baldwin and Weed.

On motion of Mr. S. Baldwin,

Leave of absence was granted to Mr. L. Miller for the remain-
der of the session.

Mr. Baldwin, on his own motion, had leave of absence for this
morning's session.

On motion of Mr. Benedict,

The motion to reconsider the final vote taken upon the bill en-
titled "An act to improve the breed of horses," was taken from
the table.

Mr. Case moved the previous question.

Mr. Speaker put the question whether the House would agree
to second the call for the previous question, and it was deter-
mined in the affirmative.

Mr. Speaker then put the question, "Shall the main question
be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the
House would agree to the reconsideration of said vote, and it
was determined in the affirmative, a majority of all the members
elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 25 }

Those who voted in the affirmative, are,

Angle	Cheesbro	Gott	Mitchell	Sharp
Aitken	Cook	Graham	Morris	Shreeley
Bailey	Collins	Hall	Nelson	Smalley
Baker	Conkling	Harris	Noble	Speaker
Barrow	Crocheron	Hinkley	Odell	Stephens
Baucus	Cumming	Howell	Payne	Sterling
Benedict	Cushman	Mat. Hutchinson	Peters	Ward
Bennett	Dawson	Mos. Hutchinson	Preston	Wart
Bergen	Dewey	Lee	Richards	Weed
Boardman	E. Dunlap	Legg	Rowland	White
Bostwick	Ferguson	Maguire	Savage	Wilson
Boyd	Germain	Malory	Searing	Wilder
Burgess	Gleason	May	Sessions	D. Willis
Cass	Gorham	Mills	Seeley	Williams

70

Those who voted in the negative are,

Backus	Fiero	Joy	Mather	Sill
R. J. Baldwin	Freeman	Kinney	McMurray	Townsend
Barton	Harpur	Kirkland	S. F. Miller	Underwood
Beers	Hoyle	Leigh	Randall	Ware
Brust	Hull	Lozier	Rose	Whipple

25

On motion of Mr. Morris,

Said bill was referred to a select committee to report complete
forthwith.

On motion of Mr. Williams,

Two-thirds of the members elected voting in favor of the suspension of the rule for that purpose,

Resolved, That from and after this time no member shall speak more than five minutes on any subject before this House.

The Senate bill entitled "An act to incorporate the Merchants' and Publishers' Advertising Company of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 11 }

Those who voted in the affirmative are,

Angle	Cumming	Mat. Hutchinson	Mitchell	Speaker
Belley	Graham	Mos. Hutchinson	Morris	Stephens
R. J. Baldwin	Dewey	Jenkins	Nelson	Suffern
Barton	R. Dunlap	Kinney	Odell	Townsend
Baucus	Fiero	Lee	Palmer	Wart
Beers	Freeman	Legg	Peters	Weed
Bennett	Germain	Leigh	Preston	Whipple
Bergen	Gleason	Lozler	Richards	White
Bostwick	Gorham	Mallery	Rowland	Whitman
Brust	Gott	Martin	Scott	Wilson
Burgess	Graham	Mather	Searing	Wilder
Case	Harpur	May	Sessions	D. Willis
Cook	Harris	McMurray	Sheeley	J. E. Willis
Collins	Holdridge	Mills	Sill	W. H. Wood
Crocheron	Hoyle			

72

Those who voted in the negative are,

Baker	Boyd	Conkling	A. A. Dunlop	Thompson
Backus	Burnett	Dawson	Hinkley	Ware
Boardman				

11

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Speaker presented the annual report of the Troy savings bank, which was read and referred to the committee on banks.

Mr. Sessions, from the select committee to which was referred the bill entitled "An act to increase the salary of the superintendent of the Onondaga salt springs," to report forthwith complete, reported the same accordingly.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Mitchell	Thompson
Aitken	Conkling	Howell	Morris	Townsend
Bailey	Cumming	Hull	Peters	Underwood
Baker	Dawson	Mat. Hutchinson	Preston	Ward
R. J. Baldwin	Dewey	Mos. Hutchinson	Richards	Wart
Barrow	R. Dunlap	Jenkins	Richardson	Weed
Beers	Edwards	Joy	Savage	Whipple
Benedict	Ferguson	Kirkland	Scott	White
Bennett	Fiero	Leigh	Sessions	Wilson
Bergen	Freeman	Lozier	Seeley	Wilder
Boardman	Gott	Maguire	Sheeley	J. E. Willis
Boyd	Graham	Mallory	Sill	Williams
Brust	Harpur	Martin	Smalley	Winne
Burgess	Harris	Mather	Speaker	D. P. Wood
Case	Hinkley	McGraw	Stephens	W. H. Wood
Chesebro	Holdridge	McMurray	Suffern	

79

Those who voted in the negative are,

Legg	Mills	S. F. Miller	Randall	Rowland	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bills entitled as follows :

"An act to enable the children of Robert Borell, and Sarah his wife, to take and hold real estate."

"An act for the relief of Ellen Kenney."

"An act to confirm the election or designation of David Babcock, a justice of the sessions in and for the county of Oneida."

"An act to release the interest of the State in certain real estate of which James Bremer died seized, to Eliza R. Bremer, his widow."

"An act to enable Elizabeth Turpin to take, hold and convey certain real estate."

"An act for the relief of Mary Moreland, widow of Alexander Moreland, deceased, late of the town of Hyde Park, Dutchess county."

Mr. Morris, from the select committee, to which was referred the bill entitled "An act for the incorporation of associations for improving the breed of horses," to report complete forthwith, reported the same complete with amendments, which report was agreed to.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 30 }

Those who voted in the affirmative are,

Angle	Collins	Graham	Peters	Ward
Aitken	Conkling	Harris	Preston	Ware
Baker	Crocheron	Hinkley	Richards	Wart
Barrow	Cumming	Holdridge	Savage	Weed
Baucus	Dawson	Mat. Hutchinson	Searing	White
Benedict	Dewey	Legg	Sessions	Whitman
Bergen	A. A. Dunlop	Maguire	Seeley	Wilson
Boardman	R. Dunlap	Mallory	Sharp	Wilder
Bostwick	Edwards	May	Sheeley	D. Willis
Burgess	Ferguson	Mills	Sill	Williams
Case	Germain	Mitchell	Smalley	Winne
Chesbro	Gleason	Morris	Stephens	D. P. Wood
Clinton	Gorham	Odell	Sterling	W. H. Wood
Cook	Gott			

67

Those who voted in the negative are,

Backus	Fiero	Kinney	Mather	Richardson
R. J. Baldwin	Freeman	Kirkland	McGraw	Rowland
Barton	Harpur	Lee	McMurray	Suffern
Beers	Hollenbeck	Leigh	S. F. Miller	Townsend
Bennett	Hoyle	Lozier	Nelson	Underwood
Burnett	Joy	Martin	Payne	Whipple

30

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to repeal an act entitled 'An act relative to the purchase and laying out of certain lands for a public park in the nineteenth ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty in relation thereto,' passed July 21, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 73 }
{ NOES 31 }

Those who voted in the affirmative are,

Angle	Burnett	Hinkley	Mills	Speaker
Aitken	Case	Howell	Morris	Sterling
Baker	Cook	Hull	Nelson	Suffern
Backus	Conkling	Mat. Hutchinson	Noble	Thompson
R. J. Baldwin	Crocheron	Mos. Hutchinson	Palmer	Underwood
Baucus	Cumming	Joy	Peters	Ward
Beers	Cushman	Kinney	Preston	Whipple
Benedict	Dewey	Lee	Richards	White
Bennett	A. A. Dunlop	Leigh	Richardson	Whitman
Bergen	Edwards	Lozier	Rose	Wilson
Boardman	Fiero	Maguire	Rowland	Wilder
Bostwick	Freeman	Mather	Searing	Winne
Boyd	Gleason	May	Sheeley	D. P. Wood
Brust	Gorham	McGraw	Sill	W. H. Wood
Burgess	Harpur	McMurray		

73

Those who voted in the negative are,

Barrow	Ferguson	Hoyle	Randall	Townsend
Barton	Germain	Legg	Savage	Ware
Chesebro	Gott	Martin	Scott	Wart
Clinton	Graham	S. F. Miller	Seeley	D. Willis
Collins	Harris	Mitchell	Sharp	J. E. Willis
Dawson	Hollenbeck	Payne	Smalley	Williams
R. Dunlap				

31

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Richards moved to reconsider the vote just taken

Mr. Clinton moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the final vote upon said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ YAYES 21 }
{ NOES 56 }

Those who voted in the affirmative are,

Angle	Dawson	Graham	Seeley	Ware
Barrow	R. Dunlap	Hoyle	Sharp	Wart
Chesebro	Ferguson	S. F. Miller	Sheeley	D. Willis
Clinton	Germain	Savage	Townsend	Williams
Collins				

31

Those who voted in the negative are,

Aldrich	Boyd	Harper	McMurray	Sniffen
Baker	Case	Hull	Morris	Thompson
Backus	Cook	Mat. Hutchinson	Nelson	Underwood
E. J. Baldwin	Conkling	Kinney	Noble	Ward
Barton	Crocheron	Legg	Preston	Whipple
Baucus	Cumming	Leigh	Richardson	White
Beers	Dewey	Lozier	Rose	Whitman
Benedict	A. A. Dunlop	Maguire	Sill	Wilson
Bennett	Edwards	Mather	Smalley	Wilder
Bergen	Fiero	May	Speaker	D. P. Wood
Boardman	Freeman	McGraw	Sterling	W. H. Wood
Bostwick				

56

Mr. Speaker presented the annual report of the trustees of Union College for the year ending July 27, 1853, which was read and referred to the committee on colleges, academies and common schools.

The Senate bill entitled "An act to authorise the appraisement and payment of canal damages to Lauren Seymour," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assem.

bly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 69 }
{ NOES 20 }

Those who voted in the affirmative are,

Angle	Cook	Graham	Mills	Still
Aitken	Collins	Harpur	Mitchell	Smalley
Baker	Orocheron	Harris	Nelson	Stephens
S. Baldwin	Cumming	Hinkley	Odell	Thompson
Baucus	Cushman	Holdridge	Palmer	Ware
Beers	Dawson	Hoyle	Payne	Wart
Bennett	A. A. Dunlop	Kinney	Preston	Whipple
Bergen	R. Dunlap	Losier	Richards	Wilson
Boardman	Ferguson	Maguire	Richardson	Wilder
Bostwick	Fiero	Mallory	Rowland	D. Willis
Boyd	Germain	Mather	Savage	Winne
Brust	Gleason	May	Sessions	D. P. Wood
Burgess	Gorham	McGraw	Seeley	W. H. Wood
Case	Gott	McMurray	Sheeley	69

These who voted in the negative are,

R. J. Baldwin	Mat. Hutchinson	Morris	Speaker	Weed
Barton	Legg	Peters	• Suffern	White
Burnett	Martin	Randall	Underwood	Whitman
Clinton	S. F. Miller	Scott	Ward	J. E. Willis 20

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act for the continuation of Flatbush avenue from the city line of Brooklyn into the town of Flatbush," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Burnett	Hatch	Morris	Suffern
Baker	Chesebro	Hinkley	Odell	Thompson
Beckus	Conkling	Holdridge	Palmer	Townsend
R. J. Baldwin	Orocheron	Mat. Hutchinson	Payne	Underwood
S. Baldwin	Cumming	Jenkins	Peters	Ward
Baucus	Cushman	Kinney	Preston	Weed
Beers	Dewey	Legg	Rose	Whipple
Benedict	A. A. Dunlop	Leigh	Rowland	Whitman
Bennett	B. Dunlap	Maguire	Scott	Wilson
Bergen	Edwards	Mallory	Sessions	Wilder
Boardman	Ferguson	Martin	Seeley	Williams
Bostwick	Fiero	McGraw	Sheeley	Winne
Boyd	Germain	Mills	Still	D. P. Wood
Brust	Gott	S. F. Miller	Smalley	W. H. Wood
Burgess	Harper	Mitchell	Speaker	74

Those who voted in the negative are,

Barrow	Hoyle	McMurray	Savage	Ware
Dawson	Mather	Randall	Sharp	J. E. Willis
Hollenbeck	May			

12

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act for the relief of the Stockbridge Indians," coming up for its third reading,

Mr. Burnett moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Mr. Mallory moved to recommit said bill with instructions to strike out all after the enacting clause.

Mr. Chesebro moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 43 }
{ NOES 54 }

Those who voted in the affirmative are,

Barton	Graham	Losier	Sealey	Whipple
Benedict	Harper	Mather	Shueley	White
Brust	Harris	Mills	Smalley	Whitman
Burgess	Holdridge	S. F. Miller	Stephens	Wilder
Chesebro	Hollenbeck	Noble	Stearling	D. Willis
Cook	Howell	Palmer	Ward	J. E. Willis
Cumming	Hull	Peters	Wart	Williams
Fiero	Mat. Hutchinson	Richards	Weed	Winne
Gott	Legg	Rowland		

44

Those who voted in the negative are,

Angle	Boyd	Germain	McGraw	Scott
Altken	Burnett	Gleason	McMurray	Searing
Baker	Case	Hoyle	Mitchell	Sessions
Beckus	Clinton	Jenkins	Morris	Sill
E. J. Baldwin	Crocheron	Joy	Odell	Suffern
S. Baldwin	Cushman	Kinney	Payne	Thompson
Baucus	Dawson	Leigh	Preston	Townsend
Boers	Dewey	Maguire	Randall	Ware
Bennett	A. A. Dunlop	Mallory	Richardson	Wilson
Bergen	R. Dunlap	Martin	Rose	W. H. Wood
Boardman	Edwards	May	Savage	

54

The bill entitled "An act for the appraisal of the damages sustained by the owners and occupants of certain mills and hydraulic works in the city of Rochester, by the diversion of the waters of the Genesee river for the supply of the Erie and Genesee Valley canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 72 }
{ NOES 23 }

Those who voted in the affirmative are,

Angle	Cumming	Hull	Payne	Sterling
Bailey	Dawson	Mat. Hutchinson	Peters	Thompson
Baker	Dewey	Jenkins	Richards	Townsend
Backus	A. A. Dunlop	Joy	Richardson	Underwood
S. Baldwin	Edwards	Kinney	Rowland	Ward
Barrow	Ferguson	Leigh	Savage	Ware
Barton	Fiero	Lowler	Scott	Weed
Benedict	Freeman	Mallory	Searing	Whipple
Bennett	Germain	May	Seasons	Wilson
Bergen	Gleason	McMurray	Seeley	Wilder
Boardman	Gott	Mitchell	Sharp	D. Willis
Boyd	Graham	Morris	Sheeley	J. E. Willis
Case	Harris	Odeff	Sill	Winne
Cook	Holdridge	Palmer	Smalley	W. H. Wood
Collins	Hoyle			

72

Those who voted in the negative are,

Aitken	Burst	Gushman	Legg	Nelson
R. J. Baldwin	Chesebro	R. Dunlap	Martin	Randall
Baucus	Clinton	Gorham	Mather	Suffern
Beers	Conkling	Harpur	S. F. Miller	Whitman
Bostwick	Crocheron	Hollenbeck		

23

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to raising money in the village of Prattsburgh for highway purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Cook	Gott	Mills	Smalley
Bailey	Collins	Graham	Mitchell	Speaker
Baker	Conkling	Harpur	Nelson	Sterling

Barrow	Crocherson	Harris	Odeh	Spafford
Barton	Cumming	Haskley	Palmer	Townsend
Bancus	Dawson	Holdridge	Preston	Underwood
Beers	Dewey	Hoyle	Richards	Ward
Benedict	A. A. Dunlop	Hull	Richardson	Wart
Bergen	R. Dunlap	Mos. Hutchinson	Rowland	Weed
Boardman	Edwards	Jenkins	Searing	White
Bestwick	Ferguson	Kinney	Sessions	Whitman
Brust	Fiero	Legg	Sealey	Wilson
Burgess	Freeman	Maguire	Sharp	Williams
Bennett	Gleason	Mallory	Shealey	Winne
Case	Gorham	May	Sill	W. H. Wood
Chesbro				

76

For the negative,

R. J. Baldwin

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act defining and enlarging the powers and duties of the trustees of the village of Addison," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Germain	May	Sterling
Aiken	Clinton	Gott	McMurray	Thompson
Bailey	Cook	Hinkley	Mitchell	Townsend
S. Baldwin	Conkling	Howell	Noble	Underwood
Barton	Crocharon	Hoyle	Palmer	Ward
Bancus	Cushman	Hull	Peters	Ware
Beers	Dawson	Mos. Hutchinson	Randall	Weed
Benedict	Dewey	Jenkins	Richardson	Whipple
Bennett	A. A. Dunlop	Kinney	Rowland	Wilson
Bergen	R. Dunlap	Legg	Sessions	Wilder
Boardman	Edwards	Maguire	Sealey	D. Willis
Bestwick	Ferguson	Mallory	Sharp	Williams
Brust	Fiero	Martin	Sill	Winne
Burgess	Freeman	Mather	Speaker	W. H. Wood

For the negative,

Mills

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows :

"An act in relation to the moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-

York, and the disposal of the same by the trustees of the Seamen's Fund and Retreat and of the Mariners' Family Asylum."

"An act to improve the Grass river in St. Lawrence county for floating timber and saw-logs, and to declare the same a public highway."

"An act for the appointment of a commission to revise and amend the charter of the city of Rochester."

"An act declaring the west branch of the St. Regis river a public highway, and for regulating the passage of logs and lumber down the same."

"An act declaring Oswegatchie river a public highway, and regulating the passage of logs and lumber down the same, and for the improvement of said river."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act in relation to railroads under lease," to report forthwith complete, reported the same complete with amendments, which report was agreed to.

The Senate bill entitled "An act relative to the Hudson aqueduct company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Barnett	Gott	S. F. Miller	Sill
Aitken	Case	Graham	Mitchell	Speaker
Bailey	Chesebro	Harpur	Morris	Sterling
Baker	Cook	Harris	Nelson	Thompson
S. Baldwin	Collins	Hull	Odell	Townsend
Barrow	Conkling	Mat. Hutchinson	Palmer	Underwood
Barton	Crocheron	Mos Hutchinson	Payne	Ward
Baucus	Cushman	Jenkins	Preston	Ware
Boers	Dewey	Joy	Randall	Whipple
Benedict	A. A. Dunlop	Kinney	Rowland	Wilson
Bennett	E. Dunlap	Lester	Savage	Wilder
Bergen	Edwards	Maguire	Scott	D. Willis
Boardman	Ferguson	Mallory	Sessions	J. E. Willis
Bostwick	Fiero	Martin	Seeley	Wine
Brust	Fresman	Mather	Sharp	W. H. Wood
Burgess	Gleason	May		

79

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. W. H. Wood,

Leave of absence was granted to Mr. Kirkland for the remainder of the session.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to incorporate the American land company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent,

Ordered, That said bill do have its third reading.

"An act to authorise the Medina and Alabama plank road company to sell a part of their road," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Freeman, and by unanimous consent,

Ordered, That said bill do have its third reading.

"An act to amend the Revised Statutes, relative to the time of sending in the annual report of academies, subject to the visitation of the Regents," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. D. P. Wood, and by unanimous consent,

Ordered, That said bill do have its third reading.

"An act to authorise a survey and estimate for a feeder to the Genesee Valley canal," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Jenkins, and by unanimous consent,

Said bill was referred to the committee on canals, to report complete.

"An act for the relief of James Nichols and John C. Hayt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of Spraker's Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the payment of canal damages of David Spraker," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Louis Trotier," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of the estate of Asahel Hanley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for appraisement of canal damages of Herman F. Cramer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Charles B. Rich," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Hiram Utter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of William Adams," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on claims.

"An act to authorise others than overseers of the poor to prosecute for violation of the excise laws," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cumming, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act for the appraisement of canal damages of A. A. Van Alstine," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Augustus Harper," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisement of canal damages of Joab Stafford," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act requiring the Flushing and Amsterdam and Newtown turnpike road and bridge company to widen the draw of their bridge over Flushing creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide the payment of certain labor done and materials furnished on the canals of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cook, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act to amend an act to incorporate the New-York and Havre steam navigation company, passed April 4, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Germain, and by unanimous consent,
Said committee were empowered to report the same complete.

"An act requiring firkins, tubs, cheese boxes and casks to be marked when manufactured," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Ward, and by unanimous consent,
Said committee were empowered to report the same complete.

"An act to amend an act entitled 'An act to simplify the manner of collecting arrears of taxes and assessments, and regular rents of Croton water in the city and county of New-York,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cummings, and by unanimous consent,
Said bill was referred to a select committee, to report the same complete.

Mr. Speaker announced as said select committee, Messrs. Cummings, Savage and Aitken.

"An act to amend the act entitled 'An act to provide for a supply of water in the city of Albany,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act to legalize the election held for charter officers in the village of Geneva on the third day of April, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act amendatory of the act entitled 'An act authorising the business of banking,' passed April 18, 1838, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Conkling, and by unanimous consent,
Ordered, That said bill do have its third reading.

"An act for the improvement of the Saranac river and lakes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Angle, and by unanimous consent,
Said committee were empowered to report the same complete.

"An act to amend an act passed December 16, 1847, entitled 'An act regulating the salaries of certain officers of government,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Payne, and by unanimous consent,
Ordered, That said bill be read a third time.

A message from the Senate was received and read, informing that they had concurred in the following resolution:

Resolved, (if the Senate concur,) That 50 copies of the report of the New-York State Agricultural Society be printed for the use of each member, officer and reporter of the Legislature, 1,000 copies for the use of said society, and 40 copies for each county agricultural society in the State.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act declaring the village of Antwerp a valid corporation, and to enlarge its powers, and to make said village a separate road district."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

Angels	Burnett	Gott	Mather	Scott
Altken	Clinton	Harpur	McGraw	Searing
Bailey	Cook	Harris	McMurray	Seeley
Baker	Conkling	Hatch	S. F. Miller	Sill
Backus	Crocheron	Holdridge	Mitchell	Speaker
S. Baldwin	Cumming	Hoyle	Morris	Suffern
Barrow	A. A. Dunlop	Hull	Nelson	Townsend
Barton	E. Dunlap	Mat. Hutchinson	Odell	Underwood
Baucus	Edwards	Mos. Hutchinson	Palmer	White
Beers	Ferguson	Jenkins	Peters	Wilson
Benedict	Fiero	Kinney	Randall	Wilder
Bennett	Freeman	Legg	Richardson	J. E. White
Bergen	Germala	Leigh	Ross	Winne
Boardman	Gleason	Losler	Rogland	D. P. Wood
Brust	Gorham	Mallory	Savage	W. H. Wood
Burgess				

75

For the negative,

Wart

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to authorise the laying out and constructing a road from Carmel village to Brewster's station, in the county of Putnam."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Burnett	Hinkley	S. F. Miller	Speaker
Aitken	Clinton	Holdridge	Mitchell	Suffern
Bailey	Cook	Hoyle	Morris	Townsend
Baker	Conkling	Hull	Noble	Underwood
Backus	Crocheron	Mat. Hutchinson	Odell	Ware
S. Baldwin	Cumming	Mos. Hutchinson	Palmer	Wart
Barrow	A. A. Dunlop	Jenkins	Payne	White
Barton	R. Dunlap	Kinney	Peters	Whitman
Baucus	Ferguson	Kirkland	Richardson	Wilson
Beers	Fiero	Legg	Rowland	Wilder
Benedict	Germain	Leigh	Savage	J. E. Willis
Bennett	Gleason	Lozier	Scott	Williams
Bergen	Gorham	Mallory	Seeley	Winne
Boardman	Gott	Mather	Sill	D. P. Wood
Brust	Harpur	May	Smalley	W. H. Wood
Burgess	Hatch	McMurray		

78

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The Senate bill entitled "An act to incorporate the American Geographical and Statistical Society," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Noble	Suffern
Aitken	Conkling	Hull	Palmer	Thompson
Bailey	Cumming	Mat. Hutchinson	Payne	Underwood
Baker	Cushman	Mos. Hutchinson	Peters	Ward
Backus	Dewey	Jenkins	Richardson	Ware
S. Baldwin	A. A. Dunlop	Joy	Rose	Wart
Beers	R. Dunlap	Kinney	Rowland	Weed
Benedict	Edwards	Legg	Savage	Whipple
Bennett	Ferguson	Leigh	Scott	White
Bergen	Fiero	Mallory	Seeley	Whitman
Boardman	Freeman	Martin	Sharp	Wilson
Bostwick	Germain	May	Sheeley	Wilder
Burgess	Gorham	McGraw	Smalley	D. Willis
Burnett	Gott	Mills	Speaker	J. E. Willis
Case	Harpur	S. F. Miller	Stephens	Williams
Chesebro	Harris	Mitchell	Sterling	Winne
Clinton	Holdridge			

82

For the negative,

Dawson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to incorporate the Merchants' and Clerks' Library Association of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harpur	Mills	Suffern
Aitken	Chesebro	Hinkley	Mitchell	Thompson
Bailey	Clinton	Holdridge	Morris	Townsend
Backus	Cook	Hull	Nelson	Underwood
R. J. Baldwin	Collins	Mat. Hutchinson	Noble	Ward
S. Baldwin	Conkling	Mos. Hutchinson	Palmer	Wart
Barrow	Cumming	Jenkins	Peters	Weed
Barton	Dawson	Joy	Richardson	Whipple
Beers	A. A. Dunlop	Kinney	Rosa	White
Benedict	R. Dunlap	Legg	Rowland	Whitman
Bennett	Edwards	Leigh	Savage	Wilson
Bergen	Ferguson	Lozier	Scott	Wilder
Boardman	Fiero	Mallory	Seeley	D. Willis
Bostwick	Germain	Martin	Shreeley	J. E. Willis
Brust	Gleason	Mather	Smalley	Winne
Burgess	Gorham	May	Speaker	W. H. Wood
Burnett	Gott	McMurray	Stephens	84

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better protection of bona fide holders of negotiable paper," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 11 }
{ NOES 77 }

Those who voted in the affirmative are,

Aitken	Edwards	Jenkins	Palmer	Ward
Clinton	Hoyle	May	Stephens	Ware
Conkling				

11

Those who voted in the negative are,

Angle	Chesebro	Mat. Hutchinson	Morris	Suffern
Bailey	Cook	Mos. Hutchinson	Nelson	Underwood
Baker	Collins	Joy	Noble	Wart
Backus	Dawson	Kinney	Odell	Weed
S. Baldwin	Dewey	Lee	Peters	Whipple
Barton	A. A. Dunlop	Legg	Preston	White
Benedict	R. Dunlap	Leigh	Rose	Whitman
Bennett	Ferguson	Lozier	Rowland	Wilson
Bergen	Fiero	Maguire	Savage	Wilder

Boardman	Freeman	Mallory	Scott	D. Willis
Bostwick	Gott	Mather	Sessions	J. E. Willis
Boyd	Harpur	McMurray	Seely	Williams
Brust	Hatch	Mills	Still	Winne
Burgess	Holdridge	S. F. Miller	Smalley	D. P. Wood
Burnett	Hollenbeck	Mitchell	Speaker	W. H. Wood
Case	Howell			

77

The Senate bill entitled "An act to amend the act entitled 'An act to authorise the formation of gas light companies,' passed Feb. 16, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Case	Howell	S. F. Miller	Suffern
Bailey	Cook	Hull	Nelson	Thompson
Baker	Conkling	Mat. Hutchinson	Noble	Underwood
Backus	Crocheron	Mos. Hutchinson	Palmer	Ward
S. Baldwin	Cushman	Jenkins	Payne	Wart
Barton	Dawson	Joy	Peters	Weed
Beers	A. A. Dunlop	Kinney	Richardson	Whipple
Benedict	E. Dunlap	Kirkland	Rowland	White
Bennett	Fiero	Legg	Savage	Whitman
Bergen	Freeman	Leigh	Sessions	Wilson
Boardman	Gleason	Maguire	Seely	Wilder
Bostwick	Gorham	Mallory	Still	J. E. Willis
Brust	Graham	Mather	Smalley	Winne
Burgess	Harpur	May	Speaker	W. H. Wood
Burnett	Hollenbeck	McMurray	Stephens	

74

For the negative,

Mills

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to regulate the ferries between the city of Troy and village of West Troy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Chesebro	Hatch	Mitchell	Thompson
Aitken	Cook	Hull	Nelson	Townsend
Bailey	Conkling	Mat. Hutchinson	Noble	Underwood

Baker	Crocheron	Jenkins	Odell	Ward
Backus	Cushman	Kinney	Palmer	Ware
B. J. Baldwin	Dewey	Legg	Randall	Weed
S. Baldwin	A. A. Dunlop	Leigh	Richardson	Whipple
Barrow	Edwards	Lozier	Rose	Whitman
Barton	Fiero	Maguire	Rowland	Wilson
Beers	Freeman	Mallory	Sessions	Wilder
Benedict	Germain	Martin	Sharp	D. Willis
Bergen	Gleason	Mather	Sill	J. E. Willis
Boardman	Gott	May	Speaker	Williams
Brust	Graham	McMurray	Sterling	Winne
Burgess	Harpur	S. F. Miller	Suffern	W. H. Wood
Burnett				

76

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act for the incorporation of societies to establish free churches," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Case	Hatch	Mitchell	Wart
Aitken	Chesebro	Hinkley	Noble	Weed
Bailey	Cook	Hoyle	Palmer	Whipple
Baker	Conkling	Mat. Hutchinson	Payne	White
S. Baldwin	Crocheron	Mos. Hutchinson	Richardson	Whitman
Barrow	Dewey	Jenkins	Sessions	Wilson
Baucus	A. A. Dunlop	Joy	Seeley	Wilder
Benedict	Ferguson	Kinney	Sill	D. Willis
Bennett	Fiero	Legg	Speaker	J. E. Willis
Bergen	Freeman	Leigh	Stephen	Williams
Boardman	Germain	Lozier	Sterling	Winne
Boetwick	Gorham	Martin	Suffern	D. P. Weed
Boyd	Gott	May	Ward	W. H. Wood
Brust	Harpur	Mills	Ware	

69

Those who voted in the negative are,

Hall	Smalley
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2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act to alter the commissioner's map of the city of Brooklyn,' passed April 6, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 62 }

Those who voted in the affirmative, are,

Angle	Cumming	Hull	Nelson	Suffern
Baker	Cushman	Mat. Hutchinson	Noble	Underwood
Backus	A. A. Dunlap	Mos. Hutchinson	Odell	Ward
S. Baldwin	R. Dunlap	Jenkins	Palmer	Ware
Beers	Ferguson	Kinney	Peters	Wart
Benedict	Fiero	Legg	Richardson	Weed
Bennett	Freeman	Leigh	Rose	Whipple
Bergen	Germain	Lozier	Rowland	White
Boardman	Gleason	Mallory	Savage	Whitman
Bostwick	Gorham	Mather	Scott	Wilson
Boyd	Gott	May	Searing	Wilder
Brust	Harpur	McMurray	Seeley	D. Willis
Burnett	Hatch	Mills	Sheeley	J. E. Willis
Clinton	Hinkley	S. F. Miller	Sill	Williams
Cook	Holdridge	Mitchell	Speaker	Winne
Crocheron	Hoyle	Morris	Stephens	

79

Those who voted in the negative are,

Conkling Dawson

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act to amend the 4th title of the 13th chapter of the 1st part of the Revised Statutes, entitled 'Regulations concerning the assessment of taxes on incorporated companies, and the commutation or collection thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 62 }
{ NOES 19 }

Those who voted in the affirmative are,

Angle	Cook	Harpur	Mitchell	Speaker
Aiken	Conkling	Hinkley	Morris	Stephens
Bailey	Crocheron	Holdridge	Nelson	Sterling
S. Baldwin	Cumming	Howell	Noble	Thompson
Beers	Dewey	Jenkins	Palmer	Underwood
Benedict	A. A. Dunlap	Joy	Payne	Wart
Bergen	R. Dunlap	Kinney	Peters	Weed
Boardman	Ferguson	Legg	Randall	Whipple
Brust	Fiero	Leigh	Richardson	Wilder
Burgess	Germain	Maguire	Savage	D. Willis
Burnett	Gleason	May	Scott	J. E. Willis
Case	Gorham	McMurray	Searing	Winne
Clinton	Gott			

62

Those who voted in the negative are,

R. J. Baldwin	Chesebro	Mather	Seeley	Whitman
Barrow	Cushman	Mills	Sharp	Wilson
Bennett	Hollenbeck	S. F. Miller	Shill	W. H. Wood
Boyd	Lozier	Rowland	Ward	19

Mr. Benedict moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Benedict, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 11 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	May	Shill
Aitken	Cook	Hall	McGraw	Smalley
Bailey	Conkling	Harpur	McMurray	Speaker
Backus	Crocheron	Hinkley	Mitchell	Sterling
S. Baldwin	Cumming	Heldridge	Nelson	Suffern
Beers	A. A. Dunlop	Mos. Hutchinson	Noble	Thompson
Benedict	R. Dunlap	Jenkins	Palmer	Wart
Bennett	Edwards	Kinney	Payne	Weed
Bergen	Fiero	Legg	Peters	Whipple
Boardman	Freeman	Leigh	Randall	Whitman
Boyd	Germain	Lozier	Richardson	Wilder
Burgess	Gleason	Mallory	Savage	D. Willis
Case	Gorham	Martin	Searing	Winne
Chesebro	Gott	Mather	Seeley	69

Those who voted in the negative are,

R. J. Baldwin	Cushman	Hollenbeck	S. F. Miller	Ward
Barrow	Dawson	Mills	Rowland	Wilson
Collins				11

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 65 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Chesebro	Gett	May	Speaker
Aitken	Clinton	Graham	McMurray	Stephens
Bailey	Cook	Hatch	Mitchell	Sterling
Baker	Conkling	Hinkley	Noble	Suffern
Backus	Cumming	Heldridge	Palmer	Thompson
Beers	Dewey	Hollenbeck	Peters	Weed
Benedict	A. A. Dunlop	Mos. Hutchinson	Preston	Whipple
Bergen	Edwards	Jenkins	Richardson	Whitman
Boardman	Fiero	Legg	Savage	Wilder
Boyd	Freeman	Leigh	Scott	D. Willis
Burgess	Germain	Lozier	Searing	J. E. Willis
Burnett	Gleason	Mallory	Seeley	Williams
Case	Gorham	Martin	Shill	W. H. Wood 65

Those who voted in the negative are,

R. J. Baldwin	Dawson	S. F. Miller	Sharp	Warg
Barrow	R. Dunlap	Rowland	Ward	Wilson
Cushman	Mills			

12

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend the charter of the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	S. F. Miller	Sniffen
Atken	Conkling	Howell	Mitchell	Ward
Bailey	Crocheron	Hull	Noble	Wart
Backus	Cushman	Mat. Hutchinson	Odell	Whipple
S. Baldwin	Dewey	Mos. Hutchinson	Palmer	White
Barrow	A. A. Dunlap	Jenkins	Payne	Whitman
Barton	R. Dunlap	Kinney	Peters	Wilson
Baucus	Ferguson	Legg	Richardson	Wilder
Beers	Fiero	Leigh	Rose	D. Willis
Benedict	Freeman	Lozier	Rowland	J. E. Willis
Bergen	Germain	Mallory	Savage	Williams
Boardman	Gott	Mather	Scott	Winne
Brust	Harpur	May	Seeley	D. P. Wood
Burgess	Hatch	McMurray	Sill	J. S. Wood
Burnett	Hinkley	Mills	Speaker	W. H. Wood
Clinton				

76

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess.

SEVEN O'CLOCK, P. M.

The House again met.

The bill entitled "An act to incorporate the fire department in the village of Rome," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

Aitken	Conkling	Howell	Mitchell	Stephens
Bailey	Crocheron	Hoyle	Odell	Suffern
Baker	Cushman	Hull	Palmer	Thompson
Backus	R. Dunlap	Mat. Hutchinson	Peters	Townsend
R. J. Baldwin	Edwards	Mos. Hutchinson	Preston	Underwood
Barton	Ferguson	Jenkins	Randall	Ward
Benedict	Fiero	Legg	Rose	Wart
Bennett	Freeman	Leigh	Rowland	Weed
Bergen	Germain	Maguire	Scott	White
Boardman	Gleason	Mallory	Searing	Whitman
Bostwick	Gott	Martin	Seamons	Wilson
Burgess	Harpur	Mather	Seeley	Wilder
Clinton	Harris	McMurray	Sill	Winne
Cook	Hatch	Mills	Smalley	D. P. Wood
Collins	Hinkley	S. F. Miller	Speaker	W. H. Wood 75

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to enable the city of Brooklyn to borrow in anticipation of the taxes to be levied and raised in the city of Brooklyn, for the year 1854, the sum of \$11,500, for the use of the fire department in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	Mills	Townsend
Aitken	Collins	Holdridge	Mitchell	Underwood
Bailey	Conkling	Howell	Morris	Ward
Baker	Crocheron	Hoyle	Odell	Wart
Backus	Cumming	Hull	Palmer	Weed
R. J. Baldwin	Dawson	Mat. Hutchinson	Peters	Whipple
S. Baldwin	R. Dunlap	Mos. Hutchinson	Preston	White
Barton	Edwards	Jenkins	Randall	Whitman
Benedict	Ferguson	Legg	Rowland	Wilson
Bennett	Fiero	Leigh	Scott	Wilder
Bergen	Freeman	Maguire	Searing	D. Willis
Boardman	Germain	Mallory	Seeley	J. E. Willis
Burst	Gott	Martin	Smalley	Williams
Burgess	Graham	Mather	Speaker	Winne
Burnett	Harpur	May	Stephens	D. P. Wood
Case	Harris	McMurray	Suffern	W. H. Wood
Clinton	Hatch			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act in relation to the commutation of taxes in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 64 }
{ NOES 14 }

Those who voted in the affirmative are,

Angle	Burgess	Graham	May	Sterling
Bailey	Cass	Harpur	McMurray	Suffers
Baker	Clinton	Harris	Mitchell	Thompson
Backus	Cook	Hinkley	Morris	Underwood
E. J. Baldwin	Conkling	Hoyle	Odell	Ward
S. Baldwin	Crocheron	Hull	Peters	Wart
Barrow	Dawson	Mat. Hutchinson	Presten	Weed
Barton	R. Dunlap	Mos. Hutchinson	Richardson	White
Beucus	Edwards	Jenkins	Rowland	Whitman
Bennett	Freeman	Kinney	Scott	Wilson
Bergen	Germann	Maguire	Searing	D. P. Wood
Boatwick	Gorham	Mallory	Seeley	W. H. Wood
Brust	Gott	Martin	Speaker	64

Those who voted in the negative are,

Atkins	Holdridge	Legg	Mills	Whaler
Fiero	Hollenbeck	Leigh	Smalley	Wings
Hatch	Howell	Mather	Townsend	14

Mr. Speaker presented a communication from the Auditor, in answer to a resolution of this House, in relation to a draft drawn by J. C. Mather.

The bill entitled "An act to provide for the extension of the manufacture of coarse salt by solar evaporation," coming up for its third reading,

Mr. Peters moved to refer said bill to the Commissioners of the Land Office for a report.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 05 }

Those who voted in the affirmative are,

Atkins	Crocheron	Hoyle	McGraw	Smalley
Bailey	R. Dunlap	Hull	McMurray	Stephens

Baker	Ferguson	Mat. Hutchinson	Mitchell	Sterling
S. Baldwin	Fiero	Mos. Hutchinson	Noble	Townsend
Barton	Freeman	Jenkins	Odell	Underwood
Beers	Germain	Kinney	Palmer	Ward
Benedict	Gleason	Kirkland	Preston	Wart
Bennett	Gott	Legg	Richardson	White
Bergen	Graham	Leigh	Rose	Whitman
Boardman	Harpur	Littlefield	Rowland	Wilson
Bostwick	Harris	Lozier	Scott	Wilder
Burgess	Hatch	Maguire	Sessions	Williams
Cass	Hinkley	Mahory	Seeley	Winne
Clinton	Hollenbeck	Mather	Sharp	D. P. Wood
Cook	Howell	May	Sill	W. H. Wood
Conkling				

76

Those who voted in the negative are,

R. J. Baldwin	Brust	Joy	Peters	Suffern	5
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848, so far as the same may relate to any company that may be organized to construct certain toll bridges across the Chenango and Susquehannah rivers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Cook	Hinkley	McGraw	Sessions
Backus	Collins	Holdridge	McMurray	Smalley
R. J. Baldwin	Conkling	Howell	Mills	Stephens
S. Baldwin	Orocherson	Hull	Mitchell	Suffern
Barrow	Cumming	Mat. Hutchinson	Morris	Thompson
Beers	Dewey	Mos. Hutchinson	Noble	Townsend
Benedict	R. Dunlap	Jenkins	Palmer	Underwood
Bennett	Fiero	Kinney	Peters	Ward
Bergen	Freeman	Kirkland	Preston	Wart
Boardman	Germain	Legg	Richardson	White
Bostwick	Gleason	Leigh	Rose	Wilson
Brust	Gorham	Maguire	Rowland	D. Willis
Burgess	Gott	Martin	Savage	Winne
Cass	Harpur	Mather	Scott	W. H. Wood
Clinton	Harris	May	Searing	

74

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to authorize any town in the counties of Wyoming and Cattaraugus to subscribe for the capital stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company in payment for the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 71 }
{ NOES 18 }

Those who voted in the affirmative are,

Bailey	Cook	Mos. Hutchinson	Noble	Smalley
Baker	Conkling	Jenkins	Odell	Speaker
Backus	Crocheron	Kinney	Palmer	Stephens
E. J. Baldwin	Cumming	Kirkland	Payne	Townsend
S. Baldwin	Dewey	Legg	Peters	Underwood
Barrow	Fiero	Lozier	Preston	Ward
Barton	Germain	Maguire	Richardson	Wart
Benedict	Graham	Martin	Rose	Weed
Bennett	Harpur	Mather	Rowland	Whitman
Bergen	Harris	May	Savage	Wilder
Beardman	Hinkley	McGraw	Scott	D. Willis
Bestwick	Hollenbeck	Mills	Searing	Winne
Boyd	Howell	Mitchell	Sessions	D. P. Wood
Case	Mat. Hutchinson	Morris	Sill	W. H. Wood
Clifton				

71

Those who voted in the negative are,

Atkes	Dawson	Hoyle	Seeley	Ware
Beacus	E. Dunlap	Hull	Sterling	White
Beers	Gleason	Leigh	Suffern	Wilson
Brust	Gott	McMurray		

18

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Baker asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Baker, and it was determined in the negative.

Mr. Weed moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Weed, and it was determined in the negative.

On motion of Mr. Palmer,

Resolved, That the committee on printing be directed to inquire and report forthwith as to the execution of the orders for printing documents, &c., made by this House, and the distribution of the same, and that said committee have power to send for persons and papers.

The Senate bill entitled "An act to authorize certain officers to administer oaths and affirmations in particular cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 05 }
{ NOES 19 }

Those who voted in the affirmative are,

Aitken	Conkling	Jenkins	Noble	Speaker
Bailey	Crocheron	Joy	Odell	Stephens
Backus	Cumming	Kinney	Palmer	Sterling
S. Baldwin	Germain	Legg	Peters	Townsend
Barton	Gott	Leigh	Freston	Underwood
Beers	Graham	Lozier	Richardson	Wart
Benedict	Harpur	Maguire	Rose	White
Bennett	Harris	Mather	Rowland	Whitman
Bergen	Hatch	May	Savage	Wilson
Brust	Hinkley	McGraw	Scott	Wilder
Case	Howell	McMurray	Seamans	Winne
Clinton	Hoyle	Mills	Sill	D. P. Wood
Collins	Mos. Hutchinson	Mitchell	Smalley	W. H. Wood 06

Those who voted in the negative are,

Barrow	Burgess	Freeman	Seeley	Ware
Baucus	Chesbro	Hollenbeck	Sharp	Wood
Boardman	Dewey	Morris	Sharn	D. Willis
Boyd	Fiero	Searing	Ward	19

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Scott moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Scott, and it was determined in the negative.

The bill entitled "An act to enlarge the powers and duties of trustees in certain cases," coming up for its third reading,

Mr. Clinton moved to refer said bill to the committee on insurance companies.

Mr. Conkling moved to amend by substituting "banks" for "insurance companies."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Clinton, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

Aitken	Cook	Hoyle	Noble	Spencer
Bailey	Conkling	Hull	Palmer	Thompson

Baker	Cost	Mat. Hutchinson	Preston	Townsend
S. Baldwin	Cumming	Mos. Hutchinson	Richardson	Ward
Barrow	Cushman	Jenkins	Rowland	Wart
Barton	Fiero	Joy	Scott	Weed
Baucus	Freeman	Kinney	Searing	White
Beers	Germain	Legg	Sessions	Whitman
Benedict	Gott	Leigh	Seeley	Wilson
Bennett	Graham	Lozier	Sharp	Wilder
Bergen	Harpur	Maguire	Sill	D. Willis
Boardman	Harris	May	Smalley	Williams
Boyd	Hinkley	McGraw	Speaker	Winne
Burgess	Hollenbeck	McMurray	Stephens	D. P. Wood
Case	Howell	Mills	Sterling	W. H. Wood
Chesbro				

70

For the negative,

Dawson,

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the Revised Statutes relating to the crime of arson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 11 }

Those who voted in the affirmative are,

Bailey	Conkling	Holdridge	McGraw	Sharp
Baker	Crocheron	Hollenbeck	Mills	Sill
R. J. Baldwin	Cumming	Hoyle	Mitchell	Smalley
S. Baldwin	Cushman	Mat. Hutchinson	Noble	Speaker
Barton	Dewey	Jenkins	Palmer	Stephens
Beers	Fiero	Joy	Peters	Suffern
Bennett	Freeman	Kinney	Preston	Townsend
Bergen	Germain	Leigh	Richardson	Weed
Boardman	Gott	Lozier	Rowland	Whitman
Brust	Hall	Maguire	Scott	Wilder
Burgess	Harpur	Martin	Searing	D. Willis
Case	Harris	Mather	Sessions	Winne
Clinton	Hatch	May	Seeley	W. H. Wood
Cook	Hinkley			

71

Those who voted in the negative are,

Barrow	Dawson	Savage	Thompson	Wilson
Benedict	Morris	Sterling	Ware	D. P. Wood
Chesbro				

11

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the New-York State Teachers' Association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 45 }
{ NOES 33 }

Those who voted in the affirmative are,

Baker	Dewey	Mallory	Palmer	Speaker
Backus	Fiero	Martin	Preston	Sterling
S. Baldwin	Freeman	Mather	Richardson	Townsend
Beers	Germain	May	Rowland	Underwood
Bergen	Gott	McMurray	Savage	Ward
Cook	Hinkley	Mills	Scott	Weed
Conkling	Hoyle	Mitchell	Sharp	Whipple
Cumming	Hull	Noble	Sill	D. Willis
Cushman	Jenkins	Odell	Smalley	D. P. Wood 46

Those who voted in the negative are,

Aitken	Burgess	Hollenbeck	Peters	White
Bailey	Cass	Mat. Hutchinson	Rose	Whitman
R. J. Baldwin	Dawson	Joy	Searing	Wilson
Barrow	R. Dunlap	Lozier	Seeley	Wilder
Benedict	Ferguson	Maguire	Snuffern	Wiane
Boyd	Graham	McGraw	Thompson	W. H. Wood 88
Brust	Harpar	Morris		

On motion of Mr. Brust,
At 90 minutes to 10 o'clock p. m., the House adjourned.

THURSDAY, APRIL 13, 1864.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. White.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act amending and consolidating the several acts in relation to the village of Greenbush," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Olinton	Hoyle	Nelson	Sterling
Aitken	Cook	Hull	Palmer	Snuffern
Bailey	Conkling	Mat. Hutchinson	Peters	Thompson
Baker	Crocheron	Mos. Hutchinson	Preston	Underwood
Backus	Cumming	Kinney	Randall	Wart
R. J. Baldwin	R. Dunlap	Kirkland	Rose	Whipple
S. Baldwin	Edwards	Lee	Rowland	White
Barton	Fiero	Legg	Savage	Whitman

Beers	Freeman	Leigh	Scott	Wilder
Benedict	Germain	Maguire	Searing	D. Willis
Bennett	Graham	Mallory	Seoley	J. E. Willis
Bergen	Harpur	May	Sharp	Williams
Boardman	Harris	McMurray	Still	Winne
Boetwick	Hatch	G. Miller	Smalley	D. P. Wood
Brust	Hinkley	S. F. Miller	Speaker	J. S. Wood
Burgess	Hollenbeck	Mitchell	Stephens	W. H. Wood
Chesebro	Howell			

83

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking, passed April 18, 1838,' and the acts amendatory of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Burgess	Graham	McGraw	Still
Aitken	Case	Harpur	McMurray	Smalley
Bailey	Chesebro	Hinkley	G. Miller	Speaker
Baker	Cook	Howell	Mitchell	Stephens
Backus	Conkling	Hoyle	Noble	Suffern
E. J. Baldwin	Crocheron	Hull	Odell	Thompson
Barton	Cumming	Mat. Hutchinson	Palmer	Wart
Bancus	Dawson	Mos. Hutchinson	Peters	Wood
Beers	R. Dunlap	Kinney	Preston	Whitman
Benedict	Edwards	Legg	Rowland	Wilson
Bennett	Fiero	Lozier	Scott	Wilder
Bergen	Freeman	Maguire	Searing	J. E. Willis
Boardman	Germain	Mallory	Seoley	Winne
Brust	Gott	May	Sharp	W. H. Wood 70

For the negative,

S. Baldwin

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Greene, Chenango county,' passed April 12, 1842," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hull	Mitchell	Smalley
Aitken	Conkling	Mat. Hutchinson	Morris	Speaker
Bailey	Cumming	Mos. Hutchinson	Nelson	Stephens
Baker	Dawson	Jenkins	Noble	Sterling
Backus	Dewey	Kinney	Odell	Suffern
E. J. Baldwin	E. Dunlap	Kirkland	Palmer	Thompson
S. Baldwin	Edwards	Lee	Payne	Underwood
Beers	Fiero	Legg	Peters	Wart
Benedict	Freeman	Leigh	Preston	Whipple
Bennett	Germain	Lozier	Rose	White
Bergen	Gott	Maguire	Rowland	Whitman
Boardman	Graham	Mallory	Scott	Wilder
Brust	Harpur	May	Searing	D. Willis
Burgess	Harris	McGraw	Seeley	Winne
Case	Hatch	McMurray	Sharp	D. P. Wood
Chesebro	Hinkley	G. Miller	Sill	W. H. Wood
Clinton	Howell			

83

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the erection of drawbridges over the Flushing and Newtown creeks, in the counties of Queens and Kings,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Collins	Howell	Morris	Sterling
Aitken	Conkling	Hoyle	Noble	Suffern
Bailey	Cost	Hull	Odell	Thompson
Baker	Crocheron	Mat. Hutchinson	Palmer	Townsend
E. J. Baldwin	Dawson	Mos. Hutchinson	Payne	Ware
S. Baldwin	R. Dunlap	Kinney	Peters	Wart
Barton	Edwards	Kirkland	Preston	Weed
Beers	Ferguson	Lee	Randall	Whipple
Benedict	Fiero	Legg	Richardson	White
Bennett	Freeman	Leigh	Rose	Whitman
Bergen	Germain	Lozier	Rowland	Wilson
Boardman	Gleason	Maguire	Searing	Wilder
Bostwick	Gorham	Mallory	Sharp	D. Willis
Brust	Gott	May	Seeley	J. E. Willis
Burgess	Harpur	McMurray	Sill	Winne
Burnett	Harris	G. Miller	Smalley	D. P. Wood
Case	Hinkley	S. F. Miller	Speaker	J. S. Wood
Chesebro	Hollenbeck	Mitchell	Stephens	W. H. Wood
Cook				

91

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise the formation of town mutual insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 10 }

Those who voted in the affirmative are,

Angle	Ferguson	Legg	Palmer	Ware
Bailey	Fiero	Leigh	Peters	Wart
Baker	Gleason	Littlefield	Preston	Weed
B. J. Baldwin	Gott	Lozier	Randall	Whipple
S. Baldwin	Graham	Maguire	Rowland	White
Barton	Harpur	Mallory	Scott	Whitman
Beers	Hinkley	Martin	Searing	Wilson
Benedict	Holdridge	May	Sharp	Wilder
Bergun	Hollenbeck	McMurray	Sill	D. Willis
Burgess	Howell	G. Miller	Smalley	J. E. Willis
Case	Hoyle	S. F. Miller	Speaker	Williams
Chesebro	Hull	Mitchell	Stephens	Winne
Clinton	Mat. Hutchinson	Morris	Sufern	D. P. Wood
Cook	Mos. Hutchinson	Nelson	Thompson	J. S. Wood
Cost	Kirkland	Noble	Townsend	W. H. Wood
Crocheron	Lee	Odell	Underwood	

79

Those who voted in the negative are,

Aitken	Boardman	Conkling	R. Dunlap	Kinney
Bancus	Burnett	Dawson	Freeman	Payne

10

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for the payment of certain labor done, and materials furnished, on the canals of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Hall	Odell	Townsend
Aitken	Cumming	Mos. Hutchinson	Palmer	Underwood
Bailey	R. Dunlap	Kirkland	Payne	Ward
B. J. Baldwin	Ferguson	Lee	Peters	Wart
S. Baldwin	Freeman	Legg	Rose	Weed
Barton	Germain	Leigh	Rowland	White
Beers	Gleason	Littlefield	Scott	Whitman
Benedict	Gorham	Lozier	Searing	Wilson
Bennett	Gott	Maguire	Seeley	Wilder

Bergen	Graham	Mallory	Sharp	D. Willis
Boardman	Harpur	May	Sill	J. E. Willis
Brust	Hinkley	Mitchell	Smalley	Winne
Burgess	Holdridge	Morris	Speaker	D. P. Wood
Cass	Hollenbeck	Nelson	Stephens	J. S. Wood
Cook	Hoyle	Noble	Suffern	W. H. Wood
Conkling				

76

For the negative,

Savage

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend the 16th section of title 2, chapter 5, of the second part of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hull	Noble	Sterling
Aitken	Cost	Mat. Hutchinson	Odell	Suffern
Bailey	Crocheron	Mos. Hutchinson	Palmer	Thompson
Baker	Cummings	Kinney	Peters	Townsend
R. J. Baldwin	Cushman	Kirkland	Randall	Underwood
S. Baldwin	R. Dunlap	Lee	Richards	Wart
Barton	Edwards	Legg	Richardson	Whipple
Beaus	Fiero	Leigh	Rowland	White
Beers	Freeman	Littlefield	Savage	Whitman
Benedict	Germain	Mallory	Scott	Wilson
Bennett	Gorham	May	Searing	Wilder
Bergen	Gott	McMurray	Seeley	D. Willis
Boardman	Graham	Mills	Sharp	J. E. Willis
Bostwick	Harpur	G. Miller	Sill	Winne
Burgess	Holdridge	S. F. Miller	Smalley	D. P. Wood
Cass	Hollenbeck	Mitchell	Speaker	J. S. Wood
Chesebro	Howell	Morris	Stephens	W. H. Wood
Cook	Hoyle	Nelson		

88

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill entitled "An act to amend the charter of the village of Saratoga Springs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Howell	G. Miller	Sterling
Aitken	Conkling	Hoyle	Mitchell	Suffern
Bailey	Cost	Hull	Nelson	Thompson
Baker	Crocheron	Mat. Hutchinson	Noble	Townsend
Backus	Cumming	Mos. Hutchinson	Odell	Underwood
E. J. Baldwin	Cushman	Jenkins	Palmer	Wart
S. Baldwin	R. Dunlap	Kinney	Payne	Weed
Barrow	Edwards	Kirkland	Peters	Whipple
Baucus	Ferguson	Les	Preston	White
Beers	Fiero	Legg	Randall	Whitman
Benedict	Freeman	Leigh	Richardson	Wilson
Bennett	Germain	Littlefield	Rowland	Wilder
Bergen	Gorham	Lozier	Savage	D. Willis
Boardman	Gott	Maguire	Scott	J. E. Willis
Bostwick	Hall	Mallery	Searing	Williams
Brust	Harpur	Martin	Sealey	Winn
Burgess	Harris	May	Sill	D. P. Wood
Cass	Hatch	McGraw	Smalley	J. S. Wood
Chesbro	Holdridge	McMurray	Speaker	W. H. Wood
Clinton	Hollenbeck	Mills	Stephens	

99

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 69 }
{ NOES 09 }

Those who voted in the affirmative are,

Angle	Boyd	Fiero	Littlefield	Speaker
Aitken	Brust	Freeman	Lozier	Sterling
Bailey	Burgess	Germain	Maguire	Townsend
Baker	Cass	Gorham	McGraw	Ware
R. J. Baldwin	Chesbro	Harpur	McMurray	Weed
S. Baldwin	Cook	Hatch	Morris	White
Barrow	Conkling	Hakley	Nelson	Whitman
Barton	Cost	Hollenbeck	Preston	Wilder
Baucus	Crocheron	Mat. Hutchinson	Savage	D. Willis
Beers	Cumming	Mos. Hutchinson	Seasons	J. E. Willis
Benedict	Cushman	Jenkins	Sealey	Williams
Bennett	A. A. Dunlap	Kinney	Sharp	Winn
Boardman	R. Dunlap	Kirkland	Sill	W. H. Wood
Bostwick	Ferguson	Legg	Smalley	

69

Those who voted in the negative are,

Backus	Burnett	Edwards	Mitchell	Richardson
Bergen	Dawson	Leigh	Randall	

9

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Cumming, from a majority of the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to alter the map of the city of New-York, by laying out therein a public place, and to authorise the taking of the same,' passed July 21, 1853," to report complete, reported the same complete with amendments, which report was agreed to.

The Senate bill entitled "An act for the incorporation of companies to navigate rivers and lakes," coming up for its third reading,

Mr. Baker moved to recommit said bill, with instructions to strike out the word "rivers."

Mr. A. A. Dunlop moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 28 }

Those who voted in the affirmative are,

Angle	Burnett	Gott	McMurray	Sessions
Aitken	Cass	Harris	G. Miller	Sill
Bailey	Clinton	Hatch	Mitchell	Smalley
Backus	Collins	Hinkley	Nelson	Speaker
R. J. Baldwin	Conkling	Hoyle	Palmer	Stephens
S. Baldwin	Cumming	Mat. Hutchinson	Payne	Sterling
Barrow	Cushman	Jenkins	Peters	Townsend
Barton	Dawson	Legg	Richards	Weed
Bancus	Dewey	Leigh	Roe	Wilder
Beers	R. Dunlap	Littlefield	Rowland	D. Willis
Benedict	Ferguson	Mallory	Savage	D. P. Wood
Bennett	Germain	May	Scott	J. S. Wood
Bergon	Gleason	McGraw	Searing	W. H. Wood
Boardman	Gerham			

67

Those who voted in the negative are,

Baker	Graham	Lee	Sharp	Wart
Boetwick	Harpur	Maguire	Suffern	White
Brust	Hollenbeck	Martin	Thompson	Whitman
Chesebro	Howell	S. F. Miller	Underwood	Wilson
Cost	Kinney	Preston	Ware	Winne
A. A. Dunlop	Kirkland	Randall		

28

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Peters moved to reconsider the final vote taken yesterday upon the bill for the "commutation of taxes in the city of Albany."

On motion of Mr. Chesebro,

Said motion was laid upon the table.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the formation of corporations for manufacturing, mining or chemical purposes,' passed February 17, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	Mitchell	Smalley
Baker	Cook	Holdridge	Morris	Speaker
B. J. Baldwin	Collins	Hollenbeck	Nelson	Sterling
S. Baldwin	Conkling	Hoyle	Noble	Suffern
Barrow	Cost	Jenkins	Odell	Thompson
Barton	Cushman	Kinney	Palmer	Townsend
Baucus	Dawson	Kirkland	Payne	Underwood
Beers	A. A. Dunlop	Lee	Peters	Wart
Bennett	R. Dunlap	Legg	Preston	Weed
Bergen	Edwards	Leigh	Richards	Wilson
Boardman	Ferguson	Maguire	Rose	D. Willis
Boetwick	Fiero	Mallory	Rowland	Williams
Brust	Germain	Martin	Savage	Winne
Burgess	Gott	May	Scott	D. P. Wood
Burnett	Harpur	McGraw	Searing	W. H. Wood
Case	Hatch	L. Miller	Sessions	

79

For the negative,

Seeley

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act relative to the rights of married women," coming up for its third reading,

Mr. Burnett moved to recommit said bill with instructions to amend the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burnett, and it was determined in the negative.

Mr. Sessions moved to recommit with instructions to strike out the first section.

Mr. Scott moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 15 }

Those who voted in the affirmative are,

Angle	Burgees	Harper	May	Smalley
Aitken	Case	Hinkley	McGraw	Speaker
Bailey	Cook	Howell	S. F. Miller	Sterling
Backus	Conkling	Hoyle	Odell	Suffern
R. J. Baldwin	Crocheron	Mat. Hutchinson	Palmer	Thompson
S. Baldwin	Cumming	Mos. Hutchinson	Peters	Townsend
Barrow	Cushman	Jenkins	Preston	Underwood
Barton	A. A. Dunlop	Joy	Richards	Ware
Beers	R. Dunlap	Kinney	Rowland	Whipple
Benedict	Edwards	Kirkland	Savage	Wilson
Bennett	Fiero	Legg	Scott	Wilder
Bergen	Freeman	Leigh	Searing	J. E. Willis
Boardman	Germain	Littlefield	Seeley	Winne
Boatwick	Gleason	Lozier	Sill	D. P. Wood
Brust	Graham	Martin		

73

Those who voted in the negative are,

Baucus	Dawson	Hatch	Maguire	Rose
Burnett	Dewey	Hollenbeck	McMurray	Sessions
Cost	Gott	Lee	Payne	W. H. Wood

15

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prohibit the use of camphine, spirit gas, or any preparation of alcohol or spirits of turpentine, for the purpose of illumination in stages, omnibuses, railroad cars and steamboats, in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 18 }
{ NOES 68 }

Those who voted in the affirmative are,

Baker	Chesebro	Hull	Peters	Sill
Barton	Clinton	Legg	Preston	Thompson
Beers	Germain	McGraw	Rowland	D. P. Wood
Boardman	Harpur	McMurray		

18

Those who voted in the negative are,

Angle	Cost	Mat. Hutchinson	G. Miller	Townsend
Aitken	Crocheron	Mos. Hutchinson	Mitchell	Underwood

Bailey	Cushman	Jenkins	Morris	Ware
Backus	Dawson	Joy	Odell	Wart
R. J. Baldwin	A. A. Dunlop	Kinney	Palmer	Whipple
Barrow	R. Dunlap	Kirkland	Payne	White
Bancus	Edwards	Lee	Richards	Whitman
Benedict	Fiero	Leigh	Searing	Wilson
Bergen	Gott	Littlefield	Sessions	Wilder
Bostwick	Graham	Lozier	Seeley	J. E. Willis
Brust	Hinkley	Maguire	Smalley	Williams
Case	Hollenbeck	Mallory	Sterling	Winne
Cook	Howell	Martin	Suffern	W. H. Wood
Conkling	Hoyle	May		68

The bill entitled "An act to amend an act entitled 'An act to authorise stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,' passed June 30, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 38 }
{ NOES 39 }

Those who voted in the affirmative are,

Bailey	Case	Gleason	McGraw	Smalley
Backus	Cook	Gott	Noble	Speaker
R. J. Baldwin	Orochona	Harpur	Odell	Weed
S. Baldwin	Cushman	Holdridge	Palmer	Wilson
Barton	Dewey	Hull	Payne	Wilder
Beers	A. A. Dunlop	Jenkins	Richardson	D. P. Wood
Bergen	Fiero	Kirkland	Sill	W. H. Wood
Brust	Germain	May		38

Those who voted in the negative are,

Aitken	Burnett	Hollenbeck	Mallory	Sterling
Baker	Chesebro	Hull	McMurray	Suffern
Bancus	Clinton	Mat. Hutchinson	G. Miller	Townsend
Benedict	Conkling	Mos. Hutchinson	Morris	Ware
Boardman	Cost	Joy	Nelson	Wart
Bostwick	Cumming	Kinney	Rowland	Williams
Boyd	Ferguson	Legg	Scott	Winne
Burgess	Freeman	Leigh	Searing	39

Mr. Mallory moved to reconsider the vote just taken.

On motion of Mr. Mallory,

Said motion was laid upon the table.

The Senate bill entitled "An act to authorise the Naponock and Denning plank road company to issue a preferred stock, or to mortgage their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 18 }

Those who voted in the affirmative are,

Angle	Cost	Hinkley	G. Miller	Starling
Aitken	Crocheron	Hollenbeck	Morris	Suffern
Bailey	Cumming	Howell	Noble	Thompson
Baker	Cushman	Hoyle	Odell	Townsend
Backus	A. A. Dunlop	Hull	Palmer	Ware
R. J. Baldwin	R. Dunlap	Mat. Hutchinson	Peters	Wart
S. Baldwin	Ferguson	Mos. Hutchinson	Rose	White
Barrow	Freeman	Joy	Rowland	Whitman
Bennett	German	Kirkland	Scott	Wilson
Brust	Gleason	Lee	Seeley	J. E. Willis
Burgess	Gott	Legg	Sharp	Winne
Cook	Graham	Maguire	Sill	D. P. Wood
Collins	Harris	May	Speaker	J. S. Wood
Conkling	Hatch	McGraw	Stephens	W. H. Wood 70

Those who voted in the negative are,

Baucus	Case	Kinney	Mallory	Preston
Benedict	Dawson	Leigh	Mitchell	Savage
Boardman	Fiero			

12

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Cumming,

The bill entitled "An act to limit the speed of locomotives in passing through cities," was recommitted.

The bill entitled "An act in relation to the redemption of non-resident lands sold for taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	R. Dunlap	Joy	Nelson	Smalley
Aitken	Edwards	Kinney	Odell	Speaker
R. J. Baldwin	Ferguson	Lee	Palmer	Stephens
Baucus	Fiero	Legg	Payne	Starling
Beers	Freeman	Leigh	Peters	Suffern
Benedict	German	Littlefield	Preston	Townsend
Bergen	Gleason	Lodier	Randall	Underwood
Boardman	Gorham	Maguire	Rose	White
Bostwick	Gott	Mallory	Rowland	Whitman
Brust	Graham	Martin	Savage	Wilson
Burgess	Hatch	May	Scott	D. Willis
Case	Hinkley	McGraw	Searing	J. E. Willis
Cook	Hoyle	McMurray	Sessions	Williams
Conkling	Hull	G. Miller	Seeley	Winne
Dawson	Mat. Hutchinson	S. F. Miller	Sharp	D. P. Wood
Dewey	Mos. Hutchinson	Mitchell	Sill	W. H. Wood
A. A. Dunlop	Jenkins	Morris		

83

Those who voted in the negative are,

Baker S. Baldwin Chesebro Clinton

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of certain expenses incurred by the commissioners appointed in pursuance of the act to provide for the consolidation of the cities of Brooklyn and Williamsburgh and the town of Bushwick, passed July 18, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 89 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Hollenbeck	Mitchell	Stephens
Altken	Cook	Howell	Morris	Sterling
Bailey	Conkling	Hoyle	Nelson	Suffern
Baker	Crocheron	Mat. Hutchinson	Odell	Thompson
Beckus	Cumming	Mos. Hutchinson	Palmer	Townsend
R. J. Baldwin	Dawson	Jenkins	Payne	Underwood
S. Baldwin	Dewey	Kinney	Peters	Wart
Barrow	A. A. Dunlop	Kirkland	Preston	Whitman
Benedict	Edwards	Lee	Randall	Wilson
Bennett	Fiero	Leigh	Richards	Wilder
Bergon	Freeman	Lozier	Rowland	D. Willis
Boardman	Germans	Maguire	Savage	J. E. Willis
Boatwick	Gott	Mallory	Scott	Williams
Boyd	Graham	May	Sessions	Winn
Burgess	Harris	McGraw	Sharp	D. P. Wood
Barnett	Hatch	McMurray	Sill	J. S. Wood
Case	Hinkley	G. Miller	Smalley	W. H. Wood
Chesebro	Holdridge	S. F. Miller	Speaker	

For the negative,

Sealey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hatch called up for the consideration of the House, the resolution heretofore offered by Mr. J. E. Willis, in the words following:

Resolved, (if the Senate concur,) That the Clerks of the two Houses be authorized and required to furnish to each member, officer and reporter of the Legislature, five copies of the Documentary History of the State of New York, quarto edition.

Mr. Clinton moved to amend said resolution by substituting "one" for "five."

Mr. Cumming moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cumming, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85
{ NOES 91 }

Those who voted in the affirmative are,

Able	Cass	Holdridge	Morris	Thompson
Bailey	Chesebro	Hollenbeck	Nelson	Townsend
Baker	Cook	Howell	Noble	Underwood
S. Baldwin	Collins	Mr. Hutchinson	Preston	Ware
Barrow	Cost	Mr. Hutchinson	Richards	Wart
Barton	Crocheron	Jenkins	Bowland	Weed
Baucus	Cushman	Joy	Savage	Whipple
Beers	Dawson	Kirkland	Scott	White
Benedict	A. A. Dunlop	Leigh	Searing	Whitman
Bennett	R. Dunlap	Lozier	Sessions	Wheon
Bergen	Ferguson	Maguire	Seeley	Wilder
Boardman	Piero	Mallory	Sharp	D. Willis
Bostwick	Freeman	Martin	Sill	J. E. Willis
Boyd	Gleason	May	Smalley	Williams
Brust	Gott	McMurray	Speaker	Winn
Burgess	Graham	G. Miller	Stephens	J. S. Wood
Burnett	Hatch	Mitchell	Sterling	W. H. Wood 85

Those who voted in the negative are,

Atkins	Dewey	Hull	S. F. Miller	Peters
R. J. Baldwin	Germain	Lee	Odell	Rose
Clinton	Hinkley	Legg	Palmer	Suffern
Conkling	Hoyle	McGraw	Payne	D. P. Wood 91
Cumming				

Ordered, That the clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to regulate the speed of locomotive engines through the incorporated cities and villages of this State," to amend and report forthwith, reported back the same accordingly, two-thirds of all the members voting in favor of suspending the rule for that purpose.

Mr. Sessions, from the committee on ways and means, reported a bill entitled "An act for the support of Government," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Sessions, two-thirds of those present voting in favor thereof, said bill was made a special order immediately after finishing the present order of business.

Mr. Backus, from the select committee to which was referred the bill entitled "An act relative to the New York Baptist Union for ministerial education," to report complete, reported the same complete without amendment, which report was agreed to.

On motion of Mr. Chesebrough,

Resolved, That the Senate be requested to return to this House the bill entitled "An act in relation to the commutation of taxes in the county of Albany."

Mr. Bergen moved to take from the table the bill entitled "An act to release the interest of the people of the State in certain real estate of which Glasgow Walker died seised to Mary Ann Walker, his widow."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bergen, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 88 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cumming	Mos. Hutchinson	Palmer	Thompson
Bailey	Dewey	Jenkins	Payne	Townsend
Backus	A. A. Dunlop	Jey	Peters	Underwood
S. Baldwin	R. Dunlap	Kirkland	Preston	Ward
Barton	Edwards	Lea	Ross	Ware
Baucus	Ferguson	Legg	Rowland	Wart
Benedict	Fiero	Leigh	Scott	Weed
Bennett	Freeman	Lozier	Seering	Whipple
Bergen	Germain	Maguire	Sessions	White
Boardman	Gleason	Mallory	Seeley	Wilson
Brust	Gorham	Martin	Sharp	Wilder
Burgess	Gott	May	Bill	D. White
Burnett	Graham	McGraw	Smalley	J. B. Williams
Case	Hinkley	G. Miller	Speaker	Williams
Clinton	Howell	S. F. Miller	Stephens	D. P. Wood
Clark	Hoyle	Mitchell	Stirling	J. S. Wood
Croft	Hull	Morris	Suffern	W. H. Wood
Crocheron	Mat. Hutchinson	Nelson		

88

For the negative,

Boyd

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the firemen of the village of Brooklyn,' passed April 16, 1893," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Collins	Hoyle	Mills	Speaker
Altken	Conkling	Hull	S. F. Miller	Stephens
Bailey	Cost	Mat. Hutchinson	Mitchell	Sterling
Backus	Crocheron	Mos. Hutchinson	Noble	Suffern
S. Baldwin	Cumming	Jenkins	Palmer	Thompson
Baucus	Cushman	Joy	Payne	Townsend
Beers	Dewey	Klaney	Peters	Underwood
Benedict	R. Dunlap	Kirkland	Preston	Wart
Bennett	Edwards	Lee	Rowland	Whipple
Bergen	Ferguson	Legg	Savage	White
Boardman	Fiero	Leigh	Scott	Whitman
Bostwick	Freeman	Lozier	Searing	Wilson
Brust	Gleason	Maguire	Sensons	J. E. Willis
Burgess	Gott	Mallory	Seeley	Williams
Burnett	Graham	Martin	Sharp	Winn
Case	Hatch	May	Sheeley	D. F. Wood
Cheesbro	Holdridge	McGraw	Sill	J. S. Wood
Clinton	Howell	McMurray	Smalley	W. H. Wood
Cook				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

The bill entitled "An act to regulate the speed of locomotive engines through the incorporated cities and villages of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 04 }

Those who voted in the affirmative are,

Altken	Cook	Hatch	McMurray	Shi
Baker	Conkling	Hinkley	G. Miller	Smalley
Backus	Crocheron	Holdridge	S. F. Miller	Suffern
R. J. Baldwin	Cumming	Hollenbeck	Mitchell	Townsend
S. Baldwin	Cushman	Hull	Morris	Underwood
Barrow	Dawson	Mat. Hutchinson	Nelson	Ware

Barton	A. A. Dunlop	Mos Hutchinson	Noble	Wart
Beers	Fiero	Maney	Old	Whipple
Benedict	Freeman	Kirkland	Palmer	Whitman
Bennett	Germain	Legg	Peters	Wilder
Bergen	Gorham	Leigh	Randall	J. E. Willis
Boardman	Gott	Lozier	Rose	Williams
Brust	Hall	Maguire	Rowland	Winne
Burgess	Harpur	Mallory	Savage	D. P. Wood
Case	Harris	May	Seeley	W. H. Wood
Chesebro				

76

Those who voted in the negative are,

Angle	Clinton	Collins	Ferguson
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to establish Free Schools in district No. 5, in the town of Flushing,' passed March 10, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Ferguson	Kinney	Peters	Thompson
Aiken	Fiero	Kirkland	Preston	Townsend
Baker	Freeman	Legg	Randall	Underwood
Backus	Germain	Leigh	Rose	Ward
Barton	Gorham	Littlefield	Rowland	Ware
Beers	Gott	Lozier	Savage	Wart
Benedict	Graham	Maguire	Scott	Whipple
Bennett	Harpur	May	Searing	White
Bergen	Harris	G. Miller	Sessions	Whitman
Boardman	Hatch	S. F. Miller	Seeley	Wilson
Burgess	Hinkley	Mitchell	Sharp	Wilder
Case	Holdridge	Morris	Sill	D. Willis
Clinton	Hollenbeck	Nelson	Smalley	J. E. Willis
Crocheron	Howell	Noble	Speaker	Winne
Cunningham	Hall	Palmer	Stephens	W. H. Wood
R. Dunlap	Mat. Hutchinson	Payne	Suffern	

79

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to incorporate the Buffalo Cemetery Association," was read a third time.

Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Clinton	Mos. Hutchinson	Nelson	Saffern
Baker	Cook	Jenkins	Noble	Townsend
Backus	Conkling	Kinney	Palmer	Underwood
R. J. Baldwin	Cumming	Kirkland	Peters	Wart
S. Baldwin	Dawson	Leigh	Preston	Weed
Barrow	Dewey	Littlefield	Rose	Whipple
Barton	A. A. Dunlop	Lozier	Rowland	White
Beers	Ferguson	Maguire	Savage	Whitman
Benedict	Fiero	Mallery	Seeley	Wilder
Bergen	Freeman	May	Sharp	D. Willis
Boardman	Germain	McMurray	Sill	J. E. Wills
Brust	Gott	G. Miller	Smalley	Williams
Burgess	Harpur	S. F. Miller	Speaker	Winne
Burnett	Hollenbeck	Mitchell	Stephens	D. P. Wood
Case	Hoyle	Morris	Sterling	W. H. Wood
Chesebro	Mat. Hutchinson			

77

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to enable Annette Wilkes, an infant alien, to take and hold real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Howell	Munroe	Saffern
Aitken	Cumming	Mat. Hutchinson	Nelson	Thompson
Baker	Cushman	Mos. Hutchinson	Noble	Townsend
Backus	Dawson	Jenkins	Palmer	Underwood
S. Baldwin	A. A. Dunlop	Kinney	Randall	Ware
Barton	Fiero	Legg	Rose	Wart
Bandus	Freeman	Leigh	Rowland	Whipple
Benedict	Gibbs	Littlefield	Savage	White
Bennett	Gorham	Lozier	Searcy	Wilder
Boardman	Harpur	Maguire	Seeley	J. E. Wills
Burnett	Harris	May	Sharp	Williams
Case	Hinkley	McMurray	Sill	Winne
Cook	Holdridge	S. F. Miller	Smalley	W. H. Wood
Conkling	Hollenbeck	Mitchell	Stephens	

69

For the negative,

Barrow

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled as follows:

"An act to exempt certain firemen from two days highway tax."

The Senate bill entitled "An act to amend the sixth section of article first, of title 4th, of part first of the Revised Statutes, in

reference to the time of opening the polls at election, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harpur	McMurray	Stephens
Altken	Chesbro	Hatch	Mills	Sterling
Bailey	Clinton	Hinkley	G. Miller	Snfern
Baker	Cook	Holdridge	S. F. Miller	Thompson
Backus	Cooking	Hollenbeck	Mitchell	Townsend
R. J. Baldwin	Crocheron	Howell	Morris	Underwood
S. Baldwin	Cushman	Hull	Nelson	Ware
Barrow	Dawson	Mat. Hutchinson	Noble	Wart
Barton	Dewey	Mos. Hutchinson	Odell	Whipple
Beers	A. A. Dunlop	Jenkins	Peters	White
Benedict	R. Dunlap	Kinney	Randall	Whitman
Bennett	Edwards	Kirkland	Richards	Wilson
Bergen	Ferguson	Legg	Rowland	D. Willis
Boardman	Fiero	Leigh	Seeley	J. E. Willis
Boardwick	Germain	Littlefield	Sharp	Williams
Boyd	Gleason	Lozier	Sheeley	Winne
Burgess	Gorham	Magnire	Sill	D. P. Wood
Burnett	Gott	May	Speaker	W. H. Wood

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the New-York juvenile asylum,' passed June 30, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cushman	Mat. Hutchinson	Odell	Sterling
Bailey	A. A. Dunlop	Mos. Hutchinson	Palmer	Snfern
Baker	R. Dunlap	Jenkins	Payne	Thompson
Backus	Edwards	Kinney	Peters	Townsend
Barrow	Ferguson	Legg	Randall	Wart
Beers	Fiero	Leigh	Richardson	Wood
Benedict	Freeman	Littlefield	Rose	White
Bennett	Germain	Lozier	Rowland	Whitman
Boardman	Gleason	Magnire	Savage	Wilson
Boardwick	Gott	Mallory	Scott	Wilder
Boyd	Graham	McMurray	Sessions	D. Willis
Burnett	Harpur	Mills	Seeley	J. E. Willis

Clinton	Harris	G. Miller	Sull	Williams
Cook	Hinkley	S. F. Miller	Smalley	Winn
Conkling	Holdridge	Mitchell	Speaker	D. P. Wood
Cost	Howell	Noble	Stephens	W. H. Wood
Crocheron	Hull			

83

For the negative,

Dawson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorize any town or city in the counties of Oneida, Madison, Chenango or Broome, to subscribe to the capital stock of the Utica and Binghamton railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 61 }
{ NOES 30 }

Those who voted in the affirmative are,

Bailey	Clinton	Gorham	McGraw	Speaker
Backus	Cook	Harris	G. Miller	Stephens
R. J. Baldwin	Cost	Hatch	Mitchell	Sterling
S. Baldwin	Crocheron	Hinkley	Morris	Thompson
Barrow	Cumming	Jenkins	Nelson	Townsend
Barton	Dawson	Kirkland	Noble	Underwood
Benedict	Dewey	Legg	Peters	Ward
Bennett	A. A. Dunlop	Lough	Ross	Ware
Bergen	Edwards	Littlefield	Savage	Whipple
Boardman	Ferguson	Lozier	Searing	D. Willis
Bostwick	Fiero	Mallory	Seeley	J. E. Willis
Boyd	Germans	May	Sull	W. H. Wood
Case				

61

Those who voted in the negative are,

Angle	Chesebro	Gott	Kinney	Suffern
Aitken	Conkling	Harpur	Lee	White
Baker	Cushman	Hollenbeck	Maguire	Whitman
Bancus	R. Dunlap	Hewell	Randall	Wilson
Beers	Freeman	Hull	Roland	Wilder
Burst	Gleason	Mon. Hutchinson	Smalley	Winn

30

Mr. Angle moved a reconsideration of the vote just taken.

On motion of Mr. Conkling,

Said motion was laid upon the table.

The Senate bill entitled "An act to authorize the Medina and Alabama plank road company to sell a part of their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Chesebro	Fiero	Leigh	Savage
Aitken	Clinton	Freeman	Littlefield	Scott
Bailey	Cook	Germain	Lozier	Sharp
R. J. Baldwin	Conkling	Gott	Magnire	Sheeley
S. Baldwin	Cost	Harpur	Mallory	Stephens
Barton	Crocheron	Harris	Martin	Sterling
Beers	Cumming	Hinkley	May	Thompson
Benedict	Cushman	Hollenbeck	McGraw	Townsend
Bergen	Dawson	Mat. Hutchinson	McMurray	Underwood
Boardman	Dewey	Mos. Hutchinson	Mitchell	Whipple
Bostwick	A. A. Dunlop	Jenkins	Morris	White
Boyd	R. Dunlap	Joy	Noble	Wilson
Burgess	Edwards	Lee	Palmer	Winne
Case	Ferguson	Legg	Rowland	W. H. Wood 70

Those who voted in the negative are,

Baker	Peters	Randall	Rose	Suffern
S. F. Miller				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to establish free schools in the village of Sing Sing," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	McGraw	Stephens
Aitken	Cook	Holdridge	McMurray	Sterling
Bailey	Conkling	Hollenbeck	Mills	Suffern
Baker	Crocheron	Hull	G. Miller	Thompson
Backus	Cushman	Mat. Hutchinson	Mitchell	Townsend
R. J. Baldwin	A. A. Dunlop	Mos. Hutchinson	Nelson	Underwood
S. Baldwin	R. Dunlap	Jenkins	Noble	Ward
Barrow	Edwards	Joy	Palmer	Wart
Baucus	Ferguson	Kinney	Peters	Whipple
Beers	Fiero	Lee	Preston	Wilson
Benedict	Freeman	Legg	Scott	Wilder
Bennett	Germain	Leigh	Searing	D. Willis
Boardman	Gorham	Littlefield	Seeley	Williams
Boyd	Gott	Lozier	Smalley	Winne
Burgess	Harpur	Mallory	Speaker	W. H. Wood 77
Case	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act to provide for a supply of water to the city of Albany,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hull	S. F. Miller	Thompson
Aitken	Conkling	Mat. Hutchinson	Mitchell	Townsend
Bailey	Crocherea	Mos. Hutchinson	Nelson	Underwood
Baker	A. A. Dunlop	Jenkins	Noble	Ware
Backus	R. Dunlap	Joy	Preston	Weed
R. J. Baldwin	Ferguson	Kinney	Rose	Whipple
S. Baldwin	Fiero	Lee	Rowland	White
Baucus	Freeman	Legg	Sessions	Whitman
Beers	Gleason	Leigh	Seeley	Wilson
Benedict	Gorham	Littlefield	Sim	Wilder
Bennett	Gott	Lozier	Smalley	D. Willis
Boardman	Harpur	Maguire	Speaker	J. E. Willis
Bostwick	Harris	Mallory	Stephens	Williams
Brust	Hinkley	Martin	Sterling	Winne
Burgess	Holdridge	May	Sniffen	W. H. Wood
Chesabro	Howell	McGraw		

78

For the negative,

Savage

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

—Mr. Savage moved to take from the table the bill relating to Hobart free college.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Savage, and it was determined in the negative.

The Senate bill entitled "An act to amend an act passed December 16, 1847, entitled 'An act regulating the salaries of certain officers of government,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 74 }
{ NOES 13 }

Those who voted in the affirmative are,

Angle	Clinton	Gott	Mallory	Speaker
Bailey	Cook	Harpur	McGraw	Sterling
Baker	Conkling	Harris	McMurray	Thompson
Backus	Crocheron	Hinkley	Mitchell	Townsend
E. J. Baldwin	Cushman	Hull	Morris	Underwood
Barrow	Dawson	Mat. Hutchinson	Nelson	Wart
Barton	Dewey	Mos. Hutchinson	Palmer	Weed
Beers	A. A. Dunlop	Jenkins	Payne	Whipple
Benedict	Edwards	Lee	Peters	Wilson
Bergen	Ferguson	Legg	Savage	Wilder
Boardman	Fiero	Leigh	Scott	D. Willis
Boatwick	Freeman	Littlefield	Searing	J. E. Willis
Brust	Germain	Littlejohn	Seeley	Winne
Burnett	Gleason	Lozier	Sill	J. S. Wood
Case	Gorham	Maguire	Smalley	

74

Those who voted in the negative are,

S. Baldwin	Joy	Randall	Suffern	Whitman
Burgess	S. F. Miller	Ross	White	W. H. Wood
Chesebro	Noble	Rowland		

18

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to incorporate the American camel company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 13 }

Those who voted in the affirmative are,

Angle	Brust	Fiero	Kinney	Randall
Bailey	Burgess	Freeman	Leigh	Savage
Baker	Burnett	Gibbs	Littlefield	Scott
Backus	Case	Gleason	Maguire	Searing
R. J. Baldwin	Chesebro	Gorham	Mallory	Smalley
S. Baldwin	Clinton	Gott	May	Speaker
Barrow	Cook	Graham	McGraw	Stephens
Barton	Conkling	Harris	S. F. Miller	Sterling
Baucus	Crocheron	Hinkley	Mitchell	Thompson
Beers	Cumming	Hollenbeck	Munroe	Townsend
Benedict	Cushman	Howell	Noble	Wart
Bennett	Dawson	Hull	Odell	Whipple
Bergen	A. A. Dunlop	Mat. Hutchinson	Palmer	White
Boardman	R. Dunlap	Mos. Hutchinson	Payne	Wilson
Boatwick	Edwards	Jenkins	Peters	J. S. Wood
Boyd	Ferguson			

77

Those who voted in the negative are,

Altken	Joy	McMurray	Whitman	Winne
Harpur	Lee	Seeley	Williams	W. H. Wood
Hatch	Lozier	Suffern		

18

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act for the relief of Mahlon Ross," coming up for its third reading,

Mr. Morris moved to recommit the same, with instructions to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Morris, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 58 }
{ NOES 16 }

Those who voted in the affirmative are,

Angle	Cushman	Hollenbeck	McMurray	Stephens
Bailey	A. A. Dunlop	Mos. Hutchinson	Mitchell	Townsend
Baker	R. Dunlap	Jenkins	Palmer	Ward
Backus	Fiero	Lee	Payne	Ware
R. J. Baldwin	Germain	Legg	Richards	Weed
S. Baldwin	Gleason	Leigh	Roe	Whipple
Barrow	Gorham	Littlefield	Savage	White
Beers	Gott	Lozier	Scott	Wilder
Brust	Graham	Maguire	Searing	Williams
Burgess	Harpur	Martin	Shi	Wines
Case	Harris	May	Smalley	W. H. Wood
Cook	Holdridge	McGraw		58

Those who voted in the negative are,

Aitken	Conkling	Ferguson	Joy	Suffern
Barton	Crocheron	Freeman	Morris	J. E. Willis
Burnett	Cumming	Hull	Rowland	J. S. Wood
Clinton				16

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess.

SEVEN O'CLOCK, P. M.

The House again met.

The bill entitled "An act to provide for the establishment of Indian schools upon the Cattaraugus and Allegany reservations, in this State, for the instruction of Indian children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Hall	Odell	Thompson
Aitken	Cumming	Mat. Hutchinson	Palmer	Townsend
Bailey	Dawson	Mos. Hutchinson	Peters	Underwood
Baker	Dewey	Jenkins	Randall	Ward
S. Baldwin	A. A. Dunlop	Kinney	Rose	Ware
Barton	R. Dunlap	Leigh	Rowland	Wart
Baucus	Edwards	Littlefield	Scott	Weed
Benedict	Ferguson	Lozier	Searing	Whipple
Bennett	Fiero	Maguire	Sessions	Wilson
Bergen	Freeman	Martin	Seeley	Wilder
Boardman	Germain	May	Sharp	J. E. Willis
Bostwick	Gorham	McGraw	Sheeley	Williams
Brust	Gott	McMurray	Sill	Winne
Burgess	Graham	Mills	Smalley	D. P. Wood
Chesebro	Hatch	Mitchell	Speaker	J. S. Wood
Clinton	Holdridge	Morris	Stephens	W. H. Wood
Conkling	Hoyle			

82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Angle moved to reconsider the vote taken yesterday upon concurring in the amendments of the Senate to the bill entitled "An act to amend the charter of Rochester."

Mr. Speaker put the question, whether the House would agree to the reconsideration of said vote, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hall	Palmer	Townsend
Aitken	Conkling	Mat. Hutchinson	Peters	Underwood
Bailey	Cost	Mos. Hutchinson	Preston	Ward
Baker	Dawson	Jenkins	Rose	Wart
S. Baldwin	Dewey	Kinney	Rowland	Weed
Barton	R. Dunlap	Kirkland	Scott	Whipple
Baucus	Edwards	Legg	Searing	White
Benedict	Ferguson	Leigh	Sessions	Wilson
Bennett	Fiero	Littlefield	Seeley	Wilder
Bergen	Freeman	Lozier	Sharp	D. Willis
Boardman	Germain	Maguire	Sill	J. E. Willis
Bostwick	Gorham	Mallory	Smalley	Williams
Brust	Gott	May	Speaker	Winne
Burgess	Graham	McMurray	Stephens	D. P. Wood
Case	Harris	Mills	Sterling	J. S. Wood
Chesebro	Hinkley	Mitchell	Suffern	W. H. Wood
Clinton	Hoyle			

82

On motion of Mr. Angle, and by unanimous consent,
Said bill was amended as follows :

"The policemen appointed under this act shall have the same power and authority as constables now have by law, except as to

civil process and proceedings, and shall be subject to the same liabilities and regulations, except as hereinafter provided."

Mr. Angle moved that the amendments of the Senate be concurred in.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Gott	Morris	Sterling
Aitken	Collins	Graham	Noble	Suffern
Bailey	Cost	Hatch	Palmer	Thompson
Baker	Crocheron	Hinkley	Peters	Townsend
S. Baldwin	Cumming	Hoyle	Preston	Underwood
Barrow	Cushman	Hull	Randall	Ward
Baucus	Dawson	Mat. Hutchinson	Rose	Ware
Beers	Dewey	Mos. Hutchinson	Rowland	Wart
Benedict	A. A. Dunlop	Jenkins	Searing	Whipple
Bennett	E. Dunlap	Kinney	Sessions	White
Bergen	Edwards	Legg	Seeley	Whitman
Boardman	Ferguson	Leigh	Sharp	Wilson
Bostwick	Fiero	Lozier	Sheeley	J. E. Willis
Burgess	Freeman	Magnire	Sill	Williams
Burnett	Germain	Mallory	Smalley	Winne
Case	Gleason	Mills	Speaker	D. P. Wood
Chesebro	Gorham	Mitchell	Stephen	W. H. Wood
Clinton				

86

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, with amendments.

Mr. Morris moved to reconsider the final vote taken to-day upon the bill entitled "An act for the relief of Mahlon L. Ross."

Mr. Speaker put the question whether the House would agree to the reconsideration of the final vote upon said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Case	Hinkley	Odell	Underwood
Aitken	Chesebro	Holdridge	Palmer	Ward
Bailey	Clinton	Hoyle	Peters	Ware
Baker	Cook	Mat. Hutchinson	Preston	Wart
S. Baldwin	Cumming	Mos. Hutchinson	Richards	Weed
Barrow	Dawson	Jenkins	Rose	Whipple
Barton	Dewey	Kinney	Savage	White
Baucus	E. Dunlap	Legg	Scott	Whitman
Beers	Edwards	Leigh	Searing	Wilson

Benedict	Bero	Lozier	Sessions	Wilder
Bennett	Freeman	Maguire	Seeley	D. Willis
Bergen	Germain	May	Sharp	J. E. Willis
Boardman	Gorham	McMurray	Sill	Winne
Bostwick	Gott	Mills	Smalley	D. P. Wood
Boyd	Graham	Mitchell	Speaker	J. S. Wood
Brust	Harpur	Morris	Stephens	W. H. Wood
Burgess	Harris	Nelson	Thompson	84

Those who voted in the negative are,

Conkling	Cost	Crocheron	Suffern	4
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Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Burgess	Mat. Hutchinson	Peters	Townsend
Bailey	Case	Mos. Hutchinson	Preston	Underwood
Baker	Chesebro	Jenkins	Richards	Ward
Backus	Cost	Kinney	Rose	Ware
R. J. Baldwin	Dawson	Legg	Rowland	Wart
S. Baldwin	Dewey	Leigh	Scott	Whipple
Barrow	R. Dunlap	Littlefield	Searing	White
Barton	Ferguson	Lozier	Sessions	Whitman
Baucus	Fiero	Seeley	Seeley	Wilson
Beers	Freeman	May	Sharp	Wilder
Benedict	Germain	McMurray	Sill	D. Willis
Bennett	Gorham	Mills	Smalley	J. E. Willis
Boardman	Gott	Mitchell	Speaker	Winne
Bostwick	Graham	Morris	Stephens	J. S. Wood
Boyd	Harris	Odell	Suffern	W. H. Wood
Brust	Hoyle	Palmer		78

Those who voted in the negative are,

Aitken	Conkling	Crocheron	3
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peters moved to take from the table the bill entitled "An act for the relief of Hobart free college and Hamilton college."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

{ AYES 45 }
{ NOES 34 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Case	Mos. Hutchinson	Odell	Stephens
Bailey	Clinton	Leigh	Peters	Townsend

Baker	Conkling	Littlefield	Rose	Ward
Backus	Cost	Lozier	Scott	Ware
Barrow	Dawson	Mallory	Seeley	Wart
Benedict	Germain	May	Sharp	D. Willis
Bergen	Hinkley	McMurray	Sill	J. E. Willis
Boardman	Holdridge	Mitchell	Smalley	Williams
Burnett	Hull	Noble	Speaker	D. P. Wood 45

Those who voted in the negative are,

Aitken	Burgess	Freeman	Mills	White
S. Baldwin	Crocheron	Gorham	Richards	Whitman
Barton	Dewey	Gott	Rowland	Wilson
Baucus	R. Dunlap	Kinney	Sessions	Wilder
Beers	Edwards	Legg	Suffern	J. S. Wood
Bennett	Ferguson	Littlejohn	Underwood	W. H. Wood 34
Brust	Fiero	Maguire	Whipple	

Mr. Mallory moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the final vote upon said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 65 }
 { NOES 33 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Chesebro	Freeman	Martin	Underwood
Aitken	Clinton	Gorham	McMurray	Ward
S. Baldwin	Cook	Gott	Mills	Wart
Barrow	Collins	Graham	Morris	Whipple
Barton	Conkling	Hatch	Preston	White
Baucus	Cost	Holdridge	Randall	Whitman
Beers	Crocheron	Hull	Rose	Wilson
Bennett	Cumming	Mat. Hutchinson	Rowland	Wilder
Bergen	Dewey	Jenkins	Savage	D. Willis
Bostwick	R. Dunlap	Kinney	Scott	J. E. Willis
Boyd	Edwards	Legg	Sessions	Williams
Brust	Ferguson	Littlejohn	Sharp	J. S. Wood
Burgess	Fiero	Maguire	Suffern	W. H. Wood 65

Those who voted in the negative are,

Bailey	Dawson	Lozier	Peters	Speaker
Baker	Germain	Mallory	Richards	Stephens
Backus	Hinkley	May	Searing	Townsend
Benedict	Hoyle	S. F. Miller	Seeley	Ware
Boardman	Mos. Hutchinson	Mitchell	Sill	Watts
Burnett	Leigh	Noble	Smalley	D. P. Wood 33
Case	Littlefield	Palmer		

Mr. Conkling moved to recommit said bill, with instructions to extend its provisions to the University of the city of New-York.

Mr. Fiero moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative, a majority voting in favor thereof.

{ AYES 48 }
{ NOES 22 }

Those who voted in the affirmative, are,

Aitken	Edwards	Littlefield	Searing	Ware
S. Baldwin	Fiero	Maguire	Seaton	Whipple
Barton	Gott	McMurray	Seeley	White
Bestwick	Hatch	Mills	Sill	Wilson
Chesbro	Howell	Morris	Smalley	Wilder
Cook	Mat. Hutchinson	Noble	Speaker	J. E. Willis
Crocheron	Mos. Hutchinson	Palmer	Suffern	Williams
Cumming	Jenkins	Peters	Thompson	Winne
Dawson	Legg	Preston	Townsend	D. P. Wood
Dewey	Leigh	Rowland		

48

Those who voted in the negative are,

E. J. Baldwin	Burnett	Ferguson	Kinney	Richards
Barrow	Case	Graham	S. F. Miller	Rose
Benedict	Clinton	Hinkley	Odell	Ward
Bennett	Conkling	Joy	Randall	W. H. Wood
Boyd	R. Dunlap			

22

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 31 }
{ NOES 51 }

Those who voted in the affirmative are,

Backus	Fiero	Littlefield	Mitchell	Sill
Boardman	Freeman	Lozier	Noble	Speaker
Case	Germain	Mallery	Palmer	Townsend
Clinton	Hoyle	McGraw	Peters	Ward
Cost	Mos. Hutchinson	McMurray	Scott	Ware
Dewey	Leigh	S. F. Miller	Seeley	D. P. Wood

31

Those who voted in the negative are,

Aitken	Chesbro	Hinkley	Mills	Suffern
B. J. Baldwin	Cook	Howell	Morris	Thompson
S. Baldwin	Conkling	Hull	Odell	Underwood
Barton	Crocheron	Mat. Hutchinson	Preston	Whipple
Baucus	Dawson	Jenkins	Rose	White
Boers	R. Dunlap	Legg	Rowland	Williams
Bergen	Edwards	McMurray	Searing	Wilson
Bestwick	Gorham	Legg	Seaton	J. E. Willis

Boyd
Brust
Burgess

Gott
Hatch

Magnire
Martin

Smalley
Sterling

Williams
W. H. Wood

51

The bill entitled "An act in relation to railroads held under lease," coming up for its third reading,

Mr. Germain moved to recommit the same with instructions.

Mr. Speaker moved to amend by adding to the instructions "to restrict the provisions of the Central railroad."

Mr. Conkling moved to amend the instructions "requiring the committee so to amend the bill as to make its provisions extend to the Buffalo and Niagara Falls, and the Niagara Falls and Lewiston railroads."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conkling, and it was determined in the affirmative.

Mr. Fiero moved to reconsider the final vote upon the bill entitled "An act to amend the act for the incorporation of bridge companies, so far as concerns the building of a bridge over the Chenango river, at Binghamton."

On motion of Mr. R. J. Baldwin,
Said motion was laid upon the table.

Mr. Williams moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the negative.

The bill entitled "An act for the further protection of emigrant passengers arriving at the port and city of New-York," coming up for its third reading,

Mr. Graham moved to recommit said bill with instructions to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Graham, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle
Atken
Bailey
Backus
E. J. Baldwin
S. Baldwin
Barrow
Barton
Baucus

Cass
Chesbro
Clinton
Cook
Conkling
Cost
Crocheron
Cunningham
Dewey

Hinkley
Hollenbeck
Howell
Hoyle
Hull
Mat. Hutchinson
Mos. Hutchinson
Jenkins
Littlejohn

Mitchell
Morris
Noble
Palmer
Peters
Preston
Scott
Searing
Sessions

Thorn
Underwood
Ward
Wart
White
Whitman
Wilson
Wilder
D. Willis

Benedict	Ferguson	Lozier	Sharp	J. E. Willis
Bennett	Germain	Maguire	Sill	Williams
Boardman	Gleason	Mallory	Speaker	Winne
Boyd	Gott	Martin	Stephens	D. P. Wood
Brust	Harris	May	Sterling	W. H. Wood
Burgess	Hatch	G. Miller	Suffern	

74

Those who voted in the negative are,

Dawson	Graham	
--------	--------	--

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Richards asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse, and it was determined in the negative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to erect a new county from parts of the counties of Steuben, Chemung and Tompkins, by the name of Schuyler, and to alter the town lines of Bradford and Wayne, in the county of Steuben, to erect the town of Van Etten, and annex parts of Erie and Catharine to the town of Cayuta in the county of Chemung."

Mr. Williams moved to lay said bill upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Williams, and it was determined in the negative.

Mr. Hatch moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 66 }
{ NOES 15 }

Those who voted in the affirmative are,

Angle	Clinton	Hellenbeck	Peters	Townsend
Atken	Cook	Littlefield	Preston	Underwood
Bailey	Conkling	Littlejohn	Savage	Ward
R. J. Baldwin	Crocheron	Lozier	Scott	Ware
Barrow	Cumming	Maguire	Searing	Wart
Benedict	Dewey	Mallory	Seadens	White
Bennett	Fiero	McMurray	Sharp	Whitman
Bergen	Germain	G. Miller	Sill	Wilson
Boardman	Gleason	Mitchell	Speaker	Wilder
Bostwick	Harris	Morris	Stephens	J. E. Willis
Boyd	Hatch	Noble	Suffern	Winne

Brust
Burgess
Chesebro

Hinkley
Holdridge

Odell
Palmer

Thompson
Thorn

D. P. Wood
W. H. Wood

68

Those who voted in the negative are,

Backus
Barton
Beers

Case
Dawson
Gott

Graham
Howell
Mat. Hutchinson

Leigh
S. F. Miller
Randall

Smalley
Sterling
Williams

16

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to revise the charter of the city of Syracuse."

On motion of Mr. D. P. Wood, and by unanimous consent,

Ordered, That said bill be read a third time.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans and Niagara."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle
Aitken
Bailey
Backus
B. J. Baldwin
S. Baldwin
Barrow
Bennett
Bergen
Boardman
Bostwick
Boyd
Brust

Case
Chesebro
Clinton
Cook
Conkling
Cost
Crocheron
Cunningham
Dewey
R. Dunlap
Germain
Hinkley
Hollenbeck

Howell
Moff. Hutchinson
Jenkins
Leigh
Littlejohn
Lozier
Magnire
G. Miller
S. F. Miller
Mitchell
Noble
Peters
Preston

Richards
Rose
Savage
Scott
Searing
Sessions
Sharp
Sill
Speaker
Stephens
Suffern
Thorne
Underwood

Ward
Ware
Wart
Wilder
Whitman
Wilson
Wilder
D. Willis
J. E. Willis
Winne
D. P. Wood
J. S. Wood
W. H. Wood

66

Those who voted in the negative are,

Fiero

Williams

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

Mr. Richards asked the privilege of entering the following protest on the journal:

The undersigned's name appearing on the journal of this House as having been appointed on Assembly bill No. 313, and not having been notified of that fact, protests against the passage of this bill until reported upon by the majority of that select committee.

GEO. H. RICHARDS.

Mr. Speaker put the question whether the House would agree to the said protest being entered upon the journal, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to authorise a more speedy trial and termination of a certain suit pending against the people of this State and others," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Case, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to legalise the last annual town meeting in Shawagunk, Ulster county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Howell, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to authorise the organisation of one additional regiment in the 31st brigade of the militia of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Harris, and by unanimous consent.

Ordered, That said bill do have its third reading.

"An act authorising the Superintendent of the bank department to invest moneys belonging to the bank fund," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Benedict, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to incorporate the Plymouth Congregational society of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Angle, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to amend an act entitled 'An act in relation to jurors in the city of New-York,' passed December 15, 1847," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ward, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to amend an act to consolidate and amend the act to incorporate the village of Watertown, passed April 16, 1832," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wart, and by unanimous consent,

Ordered, That said bill be read a third time.

"An act to authorise the common council of the city of Albany to reduce the width of Road street, and to discontinue and close portions of certain streets in the city of Albany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent,
Ordered, That said bill do have its third reading.

The bill entitled "An act to incorporate the Rochester gallery of fine arts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Brust	Harris	Mitchell	Thorn
Atken	Case	Hatch	Morris	Underwood
Bailey	Clinton	Hinkley	Noble	Ward
Baker	Cook	Hollenbeck	Savage	Ware
S. Baldwin	Conkling	Howell	Seadons	Wart
Barrow	Cost	Mat. Hutchinson	Seeley	White
Barton	Crocheron	Jenkins	Sharp	Wilson
Baucus	Cumming	Leigh	Smalley	Wilder
Beers	Dowey	Littlejohn	Speaker	J. E. Willis
Benedict	E. Dunlap	Lexler	Stephens	Winne
Bennett	Edwards	Mallory	Sterling	D. P. Wood
Bergen	Fiero	G. Miller	Suffern	J. S. Wood
Boardman	Germain	S. F. Miller	Thompson	W. H. Wood
Boyd	Gorham			

67

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better security of depositors, and to preserve for the use of the people of this State, certain property having no ascertained owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 17 }
{ NOES 50 }

Those who voted in the affirmative are,

Bennett	Crocheron	Hatch	S. F. Miller	Sm
Case	Germain	Howell	Mitchell	Thompson
Cook	Gott	G. Miller	Randall	W. H. Wood
Cost	Harris			

17

Those who voted in the negative are,

Angle	Conkling	Littlejohn	Searing	White
Atken	Cumming	Lexler	Seeley	Whitman

Baker	Dawson	Maguire	Sharp	Wart
R. J. Baldwin	R. Dunlap	Mallory	Smalley	Wilson
Beers	Ferguson	May	Speaker	Wilder
Benedict	Fiero	Morris	Sterling	J. E. Willie
Bergen	Hinkley	Noble	Suffern	Williams
Boardman	Mat. Hutchinson	Rose	Thorn	Winne
Boyd	Jenkins	Savage	Ward	D. P. Wood
Glitten	Leigh	Scott	Ware	J. S. Wood 50

On motion of Mr. Littlejohn,
At ten minutes to eleven o'clock p. m., the House adjourned.

FRIDAY, APRIL 14, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. White.

The minutes of yesterday were read.

On motion of Mr. Conkling,

The minutes were amended so as to show that Mr. Conkling dissented from the report made upon the bill relating to the New-York central park.

The Senate bill entitled "An act to amend an act to consolidate and amend the act to incorporate the village of Watertown, passed April 16, 1832," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Howell	Mills	Still
Bailey	Cumming	Hull	Mitchell	Smalley
Baker	Cushman	Mat. Hutchinson	Morris	Speaker
Backus	Dawson	Mat. Hutchinson	Nelson	Stephens
S. Baldwin	R. Dunlap	Jenkins	Noble	Suffern
Barton	Fiero	Joy	Odell	Townsend
Benedict	Freeman	Kinney	Palmer	Ward
Bennett	Gleason	Legg	Payne	Wart
Bergen	Gorham	Leigh	Peters	Wood
Boardman	Gott	Littlefield	Randall	White
Boatwick	Harpur	Lozier	Rowland	Whitman
Boyd	Harris	Maguire	Scott	Wilder
Burgess	Hatch	Mallory	Searing	Williams
Casc	Hinkley	Martin	Sessions	Winne
Chesebro	Holdridge	Mather	Seeley	D. P. Wood
Cook	Hollenbeck	May	Sharp	W. M. Wood
Conkling				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to authorize the common council of Albany to reduce the width of Road street, and to discontinue and close portions of certain streets in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	Mills	Stephens
Bailey	Collins	Hinkley	G. Miller	Suffern
Baker	Conkling	Holdridge	Mitchell	Thompson
Beckus	Crocheron	Hollenbeck	Nelson	Townsend
R. J. Baldwin	Cumming	Hull	Noble	Ward
S. Baldwin	Cushman	Mos. Hutchinson	Payne	Wart
Berton	Dawson	Jenkins	Peters	Wood
Boers	E. Dunlap	Legg	Rowland	Whitman
Benedict	Fiero	Leigh	Searing	Wilson
Bennett	Gleason	Lozier	Sessions	Wilder
Bergen	Gorham	Maguire	Seeley	J. E. Willis
Boardman	Gott	Mallory	Smalley	Winne
Burgess	Harpur	May	Speaker	W. H. Wood
Chesebro				

66

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Morris,

Resolved, That the petition and papers, &c. of Eliza R. Brechen be taken from the files and sent to the Senate.

The bill entitled "An act in relation to special proceedings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Bostwick	Gorham	Mallory	Sterling
Altken	Boyd	Gott	May	Thorn
Bailey	Brust	Harpur	Mills	Townsend
Baker	Chesebro	Harris	S. F. Miller	Ward
Beckus	Clinton	Hatch	Mitchell	Ware
R. J. Baldwin	Cook	Hollenbeck	Morris	Wart

S. Baldwin	Coat	Hoyle	Noble	Weed
Barrow	Cumming	Mat. Hutchinson	Odell	Whipple
Baucus	Cushman	Mos. Hutchinson	Palmer	White
Beers	R. Dunlap	Jenkins	Payne	Wilson
Benedict	Edwards	Legg	Peters	Williams
Bennett	Fiero	Leigh	Sessions	Winne
Bergen	Freeman	Littlefield	Speaker	D. P. Wood
Boardman	Gleason	Maguire	Stephens	W. H. Wood 79

Those who voted in the negative are,

Burgess	Hinkley	Lozier	Rowland	Seeley
Conkling	Howell	Martin	Scott	Sharp
Dawson	Kinney			12

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to revise the charter of the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 90 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Case	Hatch	McGraw	Stephens
Aitken	Chesebro	Hinkley	McMurray	Sterling
Bailey	Cook	Hollenbeck	Mills	Thompson
Baker	Conkling	Howell	G. Miller	Thorn
Backus	Coat	Hoyle	Mitchell	Townsend
R. J. Baldwin	Crocheron	Hull	Morris	Wade
S. Baldwin	Cumming	Mat. Hutchinson	Nelson	Ward
Barrow	Cushman	Mos. Hutchinson	Noble	Ware
Barton	Edwards	Jenkins	Odell	Wart
Baucus	Ferguson	Joy	Palmer	Whipple
Beers	Fiero	Kinney	Rowland	White
Benedict	Freeman	Leigh	Savage	Whitman
Bennett	Germain	Lozier	Scott	Wilson
Bergen	Gleason	Maguire	Sessions	Wilder
Bestwick	Gott	Mallory	Sharp	J. E. Willis
Boyd	Hall	Martin	Sill	Winne
Brust	Harpur	Mather	Smalley	D. P. Wood
Burgess	Harris	May	Speaker	W. H. Wood 90

Those who voted in the negative are,

Graham	Seeley	2
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

On motion of Mr. Benedict,

Ordered, That the Assembly bills ordered to a third reading be read before the Senate bills are read.

The bill entitled "An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn, passed April 16, 1852," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 03 }

Those who voted in the affirmative are.

Angle	Burgess	Howell	May	Sterling
Bailey	Case	Hull	Mills	Suffern
Backus	Cook	Mat. Hutchinson	S. F. Miller	Thompson
R. J. Baldwin	Conkling	Mos. Hutchinson	Mitchell	Thorn
S. Baldwin	Coet	Jenkins	Morris	Townsend
Barrow	Orocheron	Kinney	Nelson	Ward
Barton	Cumming	Lee	Odell	Wart
Baucus	Cushman	Legg	Palmer	Whipple
Beers	Edwards	Leigh	Peters	Whitman
Benedict	Ferguson	Littlefield	Richards	Wilson
Bennett	Freeman	Lozier	Scott	Wilder
Bergen	Gott	Maguire	Sessions	J. E. Willis
Boardman	Harpur	Mallory	Secley	Winne
Bostwick	Harris	Martin	Sill	D. P. Wood
Boyd	Hatch	Mather	Stephens	W. H. Wood
Brust	Hollenbeck			

77

For the negative,

Graham

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had concurred in the passage of the bills entitled as follows :

"An act to repeal an act entitled 'An act to provide for the completion of the Erie canal enlargement, and the Genesee valley and Black river canals,' passed July 10, 1851."

"An act providing for the completion of the opening and grading of Division avenue, in the county of Kings, and for the paving and otherwise improving the same."

"An act to amend the charter of the Granite Insurance company, and to authorise that company to change its place of business."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly, to the bill entitled as follows :

"An act further to amend the charter of the city of Rochester."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same."

Mr. Ward moved to lay the same upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

Mr. Savage moved to recommit the bill to the committee on the incorporation of cities and villages, and the delegation of Kings county, with instructions.

Mr. Barton moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree in concurring in said amendments of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 29 }

Those who voted in the affirmative are,

Baker	Cost	Hinkley	Mitchell	Speaker
S. Baldwin	Crocheron	Hollenbeck	Morris	Stephens
Barton	Cumming	Hull	Nelson	Sterling
Baucus	Dewey	Mat. Hutchinson	Odell	Suffern
Beers	A. A. Dunlop	Mos. Hutchinson	Peters	Townsend
Benedict	R. Dunlap	Lee	Randall	Wart
Bennett	Edwards	Leigh	Ross	Weed
Bergen	Ferguson	Littlefield	Rowland	Whipple
Boardman	Fiero	Littlejohn	Scott	White
Boetwick	Freeman	Lozier	Searing	Whitman
Brust	Germain	Martin	Sessions	Wilson
Burgess	Gott	McGraw	Seeley	Winne
Cook	Harper	Mills	Smalley	W. H. Wood
Collins	Hatch	S. F. Miller		

Those who voted in the negative are,

Angle	Cass	Kinney	Payne	Ward
Aitken	Conkling	Maguire	Richards	Ware
Backus	Cushman	Mallory	Savage	Wilder
R. J. Baldwin	Cushman	McMurray	Sharp	D. Willis
Barrow	Graham	G. Miller	Sill	D. P. Wood
Boyd	Howell	Noble	Thompson	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

The bill entitled "An act to provide an adequate supply of water for the Erie canal, and to improve the feeder connecting it with Lake Erie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

} AYES 82 {
} NOES 00 {

Those who voted in the affirmative are,

Angle	Conkling	Holdridge	McGraw	Speaker
Bailey	Cost	Hollenbeck	Mills	Stephens
Baker	Crocheron	Howell	Mitchell	Sterling
Barrow	Cumming	Hoyle	Palmer	Suffern
Barton	Cushman	Hull	Payne	Thorn
Baucus	Dawson	Mat. Hutchinson	Peters	Townsend
Beers	Dewey	Mos. Hutchinson	Preston	Underwood
Benedict	A. A. Dunlop	Jenkins	Richards	Wart
Bennett	R. Dunlap	Kinney	Roe	Whipple
Bergen	Edwards	Legg	Rowland	White
Boardman	Fiero	Littlefield	Scott	Whitman
Bostwick	Freeman	Littlejohn	Sessions	Wilson
Brust	Germain	Lozier	Seeley	Wilder
Burgess	Gott	Magnire	Sharp	J. E. Willis
Case	Harpur	Mallory	Sill	Winne
Chesebro	Hinkley	Martin	Smalley	W. H. Wood
Clinton				

81

Those who voted in the negative are,

Graham	Savage	Ward	Ware
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4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to alter the map of the city of New-York, by laying out therein a public place, and to authorize the taking of the same,' passed July 21, 1853," coming up for its third reading,

Mr. Ware moved to recommit said bill, with instructions to amend, by adding section 2, as follows :

§ 2. And it is hereby also further provided that the provisions of the act hereby amended, and all action already had under such act, shall also apply to all that parcel of land lying in the Nineteenth ward of the city of New-York, and bounded as follows, that is to say, on the west by the Second avenue, on the east by the East river, on the south by Sixty-eighth street, and on the north by Seventy-fifth street.

An amendment was then offered to the boundaries in the foregoing section, as follows :

"On the north by 106th street, south by 104th street, east by East river, and on the west by Fifth avenue."

An amendment was also offered to the above, as follows :

"On the north by 106th street, on the south by 104th street, on the east by Eighth avenue, and on the west by the North river."

Mr. Speaker put the question whether the House would agree to the said motion to amend, and it was determined in the negative.

Mr. Conkling moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

The aforesaid bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 39 }
{ NOES 47 }

Those who voted in the affirmative are,

S. Baldwin	Ferguson	Martin	Scott	Ward
Barrow	Freeman	McGraw	Sessions	Ware
Baucus	Gott	Mitchell	Seeley	Weed
Bennett	Howell	Morris	Speaker	D. Willis
Bergen	Mat. Hutchinson	Noble	Sterling	J. E. Willis
Cook	Mos. Hutchinson	Palmer	Thompson	D. P. Wood
Cost	Jenkins	Payne	Townsend	J. S. Wood
Cumming	Legg	Peters	Wade	

Those who voted in the negative are,

Angle	Cass	Edwards	Leigh	Rowland
Atken	Chesebro	Germain	Littlefield	Sill
Bailey	Clinton	Graham	Magnire	Smalley
Backus	Collins	Harpur	Mallory	Suffern
R. J. Baldwin	Conkling	Hatch	Mills	White
Benedict	Crocheron	Hinkley	G. Miller	Whitman
Bostwick	Cushman	Hollenbeck	S. F. Miller	Wilder
Boyd	Dayson	Heyle	Nelson	Williams
Brust	A. A. Dunlop	Lee	Richards	W. H. Wood
Burgess	R. Dunlap			

Mr. Collins moved a reconsideration of the vote concurring with the Senate amendment on the Brooklyn and Williamsburgh consolidation bill.

Mr. Sterling moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of said vote, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 49 }
{ NOES 52 }

Those who voted in the affirmative are,

Angle	Collins	Howell	Noble	Ward
Altken	Conkling	Hoyle	Richards	Ware
Backus	Cost	Mat. Hutchinson	Rowland	Wilder
S. Baldwin	A. A. Dunlop	Mos. Hutchinson	Savage	D. Willis
Barrow	Edwards	Jenkins	Seeley	J. E. Willis
Bennett	Fiero	Kinney	Sill	Winne
Boyd	Germain	Littlefield	Speaker	D. P. Wood
Case	Graham	Maguire	Sterling	J. S. Wood
Chesebro	Hinkley	Mallory	Suffern	W. H. Wood
Clinton	Holdridge	G. Miller	Thompson	49

Those who voted in the negative are,

E. J. Baldwin	Crocheron	Lee	S. F. Miller	Seaton
Barton	Cumming	Legg	Mitchell	Smalley
Baucus	Dewey	Leigh	Morris	Thorn
Beers	Ferguson	Littlejohn	Nelson	Townsend
Benedict	Freeman	Lozier	Odell	Underwood
Bergen	Gleason	Martin	Palmer	Wart
Boardman	Gott	May	Peters	Weed
Botwick	Harpur	McGraw	Randall	Whipple
Brust	Hatch	McMurray	Rose	White
Burgess	Hollenbeck	Mills	Searing	Wilson
Cook	Hull			62

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to provide for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals, and for the completion of the Black river and Genesee Valley canals, and to provide for the payment of certain canal revenue certificates, and for other purposes."

On motion of Mr. Littlejohn, and by unanimous consent,

Said bill was referred to the committee on canals, to report the same, forthwith, complete.

Mr. Littlejohn, from the committee on canals, to which was referred the bill, above stated, reported in favor of concurring in the amendments of the Senate to the same, which report was agreed to.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 07 }

Those who voted in the affirmative are,

Angle	Clinton	Holdridge	McMurray	Sill
Altken	Cook	Hollenbeck	G. Miller	Speaker
Barley	Cumming	Howell	S. F. Miller	Stephens

Baker	Dewey	Hoyle	Mitchell	Sterling
S. Baldwin	A. A. Dunlop	Hall	Morris	Suffern
Barrow	E. Dunlap	Mat. Hutchinson	Nelson	Thorn
Barton	Edwards	Mos. Hutchinson	Noble	Townsend
Baucus	Ferguson	Jenkins	Palmer	Weed
Beers	Fiero	Kinney	Payne	White
Benedict	Freeman	Kirkland	Peters	Whitman
Bennett	Germain	Lee	Randall	Wilson
Bergen	Gleason	Littlefield	Ross	Wilder
Boardman	Gott	Littlejohn	Scott	D. Willis
Brust	Harpur	Lozier	Searing	J. E. Willis
Burgess	Harris	Magnire	Sessions	Winne
Case	Hatch	Mallory	Seeley	D. P. Wood
Chesebro	Hinkley	May	Sharp	W. H. Wood 85

These who voted in the negative are,

Boyd	Cost	Dawson	Legg	Williams
Conkling	Cushman			

7

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act making appropriations for the canal debt, and the maintenance, enlargement and construction of the canals for the fiscal year, commencing October 1, 1854,"

On motion of Mr. Ward,

Said bill was referred to the committee on canals, to report the same, forthwith, complete.

Mr. Littlejohn, from the committee on canals, to which was referred the aforesaid bill, reported in favor of concurring in the amendments of the Senate to the same, which report was agreed to.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Harpur	McMurray	Sterling
Altken	Cook	Harris	G. Miller	Thorn
Bailey	Conkling	Hatch	Morris	Townsend
Baker	Cost	Hinkley	Nelson	Underwood
R. J. Baldwin	Crocheron	Mat. Hutchinson	Noble	Ware
S. Baldwin	Cumming	Mos. Hutchinson	Odeh	Wart
Barrow	Dewey	Jenkins	Payne	Weed
Barton	A. A. Dunlop	Kinney	Ross	White
Beers	R. Dunlap	Legg	Scott	Whitman
Benedict	Edwards	Littlefield	Searing	Wilson
Bennett	Ferguson	Littlejohn	Sessions	Wilder
Bergen	Fiero	Lozier	Seeley	D. Willis

Boardman	Freeman	Maguire	Sharp	J. E. Willis
Bruce	Germain	Mallory	SSI	Winne
Burgess	Gleason	Martin	Speaker	D. P. Wood
Case	Graham	May	Stephens	W. H. Wood
Chesebro				81

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act making appropriations to provide for deficiencies existing in appropriations for the present fiscal year, to meet claims and demands against the treasury on account of canals."

On motion of Mr. Cumming, and by unanimous consent,

Said bill was referred to the committee on canals, to report the same, forthwith, complete.

Mr. Littlejohn, from the committee on canals, to which was referred the aforesaid bill, reported in favor of concurring in the amendments of the Senate to said bill, which report was agreed to:

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cost	Holdridge	Mitchell	Saffern
Bailey	Crocheron	Hollenbeck	Morris	Thompson
Baker	Cumming	Hull	Nelson	Thorn
Backus	Cushman	Mat. Hutchinson	Noble	Townsend
S. Baldwin	Dewey	Mos. Hutchinson	Odeh	Underwood
Barrow	A. A. Dunlop	Jenkins	Palmer	Wart
Barton	R. Dunlap	Kinney	Payne	Weed
Baucus	Edwards	Legg	Savage	Whipple
Beers	Fioro	Littlefield	Searing	White
Benedict	Freeman	Littlejohn	Sessions	Wilson
Bennett	Germain	Lozier	Seeley	Wilder
Bergen	Gleason	Maguire	Sharp	D. Willis
Boardman	Gott	Mallory	Sill	J. E. Willis
Chesebro	Harpur	May	Speaker	Winne
Clinton	Harris	McMurray	Stephens	D. P. Wood
Cook	Hinkley	G. Miller	Sterling	W. H. Wood
Conkling				81

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act to extend the time for paying the capital stock of the Hoffman Grove Association, located at Elmira."

"An act to incorporate the Atlantic and Pacific canal company."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Ward moved to extend the time of adjournment to two o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The Senate again met.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act prescribing regulations in regard to the management of the canals, and for other purposes."

On motion of Mr. D. P. Wood, and by unanimous consent, Said bill was referred to the committee on canals, to report the same complete, forthwith.

Mr. Littlejohn, from the committee on canals, to which was referred said bill, reported in favor of concurring in the amendments of the Senate thereto, which report was agreed to.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 76 }
{ NQES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	Morris	Suffern
Aitken	Cook	Harpur	Palmer	Thompson
Bailey	Conkling	Harris	Peters	Townsend
Baker	Coat	Hollenbeck	Preston	Ward
B. J. Baldwin	Cumming	Howell	Richards	Wart
Barrow	Cushman	Mos. Hutchinson	Rose	Weed
Barton	A. A. Dunlop	Jenkins	Rowland	Whipple
Bausus	R. Dunlap	Legg	Searing	White
Benedict	Edwards	Leigh	Sessions	Whitman
Bennett	Ferguson	Loxier	Seeley	Wilder
Bergen	Fiero	Maguire	Sharp	D. Willis
Boardman	Freeman	Mallory	Sill	J. E. Willis

Burgess
Burnett
Case
Chesebro

Germain
Gleason
Gott

May
McMurray
Mitchell,

Speaker
Stephens
Sterling

Winn
D. P. Wood
W. H. Wood

78

For the negative,

Dawson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows, to wit:

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to borrow six hundred thousand dollars for the purpose of building a new city hall," which was read a first time, and by unanimous consent was also read the second time.

On motion of Mr. Savage, and by unanimous consent,

Said bill was referred to a select committee to report the same complete.

Mr. Speaker announced as such select committee, Messrs. Savage, Cumming, Conkling, Graham and Richards.

"An act to amend an act entitled 'An act to reduce the number of town officers and town and county expenses and prevent abuses in auditing town and county accounts,' passed December 14, 1847," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act further to extend the acts passed the 20th of February 1826, and the 23d of April, 1831, to establish and continue a ferry at Squaw Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, to report the same complete.

By unanimous consent,

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act further to extend the acts passed the 20th of February, 1826, and the 23d of April, 1831, to establish and continue a ferry at Squaw Island," to report complete, forthwith, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

"An act to incorporate the Amsterdam savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee to report complete.

"An act to incorporate the village of Lyons," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to fix the salary of the Secretary of State," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to authorise the laying out, opening and working of a public highway in the village of Canandaigua," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Boardman,

Said bill was referred to a select committee, to report the same complete.

"An act to incorporate the fire company in the village of Port Richmond," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to repeal the sixteenth section of the act entitled 'An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of Croton water in the city and county of New-York,' passed July 21, 1833," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to authorise a part of the records and filed deeds of the counties of Cayuga, Onondaga and Herkimer, to be transcribed and deposited in the Clerk's office of the county of Seneca," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to prevent the sale of unwholesome or impure milk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act authorising the trustees of school district No. 5, in the town of Bath and county of Steuben, to graduate rates of tuition in said district," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to amend an act entitled 'An act to incorporate the sixpenny savings bank, of the city of New-York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in relation to the village of Canandaigua, and enlarging the powers and duties of the trustees of said village," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to raise \$40,000 additional, to complete the south wing of the work house on Blackwell's Island," which was read the first time, and by unanimous consent was also read the second time,

and referred to a select committee consisting of the New-York delegation, to report the same complete.

"An act to amend an act to incorporate the Young Men's Association for mutual improvement, in the city of Albany, passed March 12, 1835," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act in relation to inspectors and sealers of weights and measures in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

"An act to amend an act entitled 'An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorise the taking of the same,' passed July 21, 1833," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to enable the people of this State to decide at the next annual election, for or against the principle of a prohibitory liquor law," which was read the first time, and by unanimous consent was also read the second time.

Mr. Boardman moved to refer said bill to a select committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Boardman, and it was determined in the negative, as follows :

{ AYES 37 }
{ NOES 43 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Burnett	Freeman	Littlejohn	Seaborn
Bailey	Case	Germain	Lowier	Speaker
S. Baldwin	Chesebro	Gleason	Mallory	Ware
Benedict	Clinton	Gott	McMurray	Weed
Bennett	Cook	Hoyle	Mitchell	D. Willis
Bergen	Crocheron	Hull	Palmer	J. E. Willis
Boardman	Cumming	Jenkins	Peters	D. P. Wood
Boyd	Edwards			

37

Those who voted in the negative are, :

Altken	Cushman	Mat. Hutchinson	Ross	Wart
E. J. Baldwin	Dawson	Mos. Hutchinson	Rowland	Whipple
Barrow	A. A. Dunlop	Legg	Seeley	White
Barton	R. Dunlap	Leigh	Sill	Whitman
Baucus	Ferguson	Maguire	Sterling	Wilson
Brust	Fiero	S. F. Miller	Suffern	Wilder
Burgess	Harpur	Morris	Townsend	Williams
Collins	Hollenbeck	Nelson	Ward	W. H. Wood
Conkling	Howell	Randall		

43

"An act to amend the charter of the New-York city Insurance company," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on insurance companies, to report complete.

"An act authorising the board of supervisors of the city and county of New-York, to raise \$75,000 by tax for the board of health," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to amend an act entitled 'An act to authorise the sale of real estate in certain cases, to pay assessments and for other purposes,' passed May 26, 1841," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

"An act to authorise a part of the records of the counties of Cayuga, Ontario and Seneca, to be transcribed and deposited in the Clerk's office, in the county of Wayne," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill do have its third reading.

Mr. Session moved to suspend the present order of business at 7 o'clock this evening, for the purpose of considering in committee of the whole, the bill to provide for the payment of certain expenses of the government, and also to receive reports of standing and select committees.

Mr. Savage moved to add, that the bill to prevent encroachments on the harbor of the city of New-York, be made a special order at such time.

Mr. Savage called for a division of the question on the motion of Mr. Sessions.

Mr. Speaker put the question whether the House would agree to the first clause of the motion, providing for the consideration of the bill to provide for certain expenses of the government, and it was determined in the affirmative, two-thirds voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to consider said second clause, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Savage, and it was determined in the negative.

The bill entitled "An act to amend an act relative to the census or enumeration of the inhabitants of this State, passed May 7, 1845," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Peters	Thompson
Aitken	Cushman	Mat. Hutchinson	Preston	Townsend
Baker	Dawson	Mos. Hutchinson	Richards	Underwood
R. J. Baldwin	A. A. Dunlop	Jenkins	Richardson	Wart
S. Baldwin	Edwards	Lee	Rowland	Weed
Barrow	Ferguson	Leigh	Scott	Whipple
Barton	Piero	Littlefield	Searing	White
Beers	Freeman	Lozier	Seasons	Whitman
Benedict	Germain	Maguire	Seeley	Wilson
Bennett	Gott	Nather	Sheeley	Wilder
Bergen	Graham	McMurray	Still	D. Willis
Burgess	Harpur	Mills	Smalley	J. E. Willis
Burnett	Harris	Mitchell	Speaker	Williams
Case	Hatch	Morris	Stephens	Winne
Chilton	Holdridge	Odell	Sterling	D. P. Wood
Cook	Hollenbeck	Palmer	Suffern	W. H. Wood 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the Plymouth Congregational society, of the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	Mills	Thompson
Aitken	Cost	Holdridge	G. Miller	Thorn
Bailey	Crocheron	Hollenbeck	S. F. Miller	Townsend
S. Baldwin	Cumming	Howell	Nelson	Ward
Barrow	Cushman	Hoyle	Noble	Wart
Barton	Dawson	Hull	Odell	Weed
Baucus	A. A. Dunlop	Mat. Hutchinson	Palmer	Whipple
Beers	R. Dunlap	Mos. Hutchinson	Payne	White
Benedict	Edwards	Jenkins	Peters	Whitman
Bennett	Piero	Lee	Searing	Wilson
Bergen	Freeman	Leigh	Seasons	Wilder
Boardman	Germain	Littlefield	Seeley	D. Willis
Brust	Gorham	Lozier	Sharp	J. E. Willis
Burgess	Gott	Maguire	Still	Williams
Case	Marpur	Mallory	Speaker	Winne
Chesebro	Harris	Martin	Stephens	D. P. Wood
Cook	Hatch	May	Suffern	W. H. Wood 85

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to incorporate the General Protestant Sunday School Union and Church book society," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 03 }

Those who voted in the affirmative, are,

Angle	Burnett	Graham	G. Miller	Sill
Aitken	Case	Harpur	Mitchell	Smalley
Bailey	Chesebro	Hatch	Morris	Speaker
Baker	Cibston	Hinkley	Nelson	Sterling
Backus	Cook	Holdridge	Noble	Thompson
S. Baldwin	Conkling	Howell	Odell	Ward
Barrow	Cost	Hoyle	Palmer	Wart
Backus	Crocheron	Hull	Payne	Weed
Beers	Cumming	Mos. Hutchinson	Peters	Whipple
Benedict	A. A. Dunlop	Jenkins	Randall	Wilson
Bennett	R. Dunlap	Lee	Savage	Wilder
Bergen	Edwards	Legg	Scott	D. Willis
Boardman	Ferguson	Leigh	Searing	Williams
Bostwick	Fiero	Littlefield	Seaton	Winne
Boyd	Germann	Martin	Sealey	D. P. Weed
Bruce	Gleason	May	Sharp	W. H. Wood
Burgess	Gott	McMurray		

83

Those who voted in the negative are,

Collins	Dawson	Mat. Hutchinson
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3

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend the act of incorporation of the village of Oneonta, Otsego county, and to invest the trustees thereof with certain powers not before granted or authorized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Munroe	Speaker
R. J. Baldwin	Cost	Hull	Odell	Suffern
S. Baldwin	Crocheron	Mat. Hutchinson	Palmer	Thompson
Barrow	Cumming	Mos. Hutchinson	Payne	Thorn
Barton	Cushman	Jenkins	Peters	Townsend
Baucus	Dawson	Legg	Preston	Wart
Beers	A. A. Dunlop	Leigh	Randall	Whipple
Benedict	R. Dunlap	Littlefield	Savage	White
Bennett	Ferguson	Maguire	Scott	Wilson
Bergen	Fiero	Martin	Searing	Wilder
Boyd	Germann	May	Seaton	D. Willis

Bryant	Gleason	Mills	Sealey	J. E. Willis
Burgess	Gott	G. Miller	Sharp	Winne
Case	Graham	S. F. Miller	Shi	D. P. Wood
Clinton	Harpur	Munroe	Smalley	W. H. Wood
Cook	Hinkley			

77

Those who voted in the negative are,

Backus	Collins	Richards
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8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had non-concurred in the amendment of the Assembly to the bill entitled as follows:

"An act to incorporate the Elmira savings bank."

On motion of Mr. Benedict, and by unanimous consent,

Said bill was referred to the committee on banks, with power to report, forthwith, complete.

Mr. Benedict, from the committee on banks, to which was referred the above mentioned bill, reported in favor of insisting upon said amendment, which report was agreed to.

Mr. Speaker put the question whether the House would agree to insist upon said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES	66 }
{ NOES	03 }

Those who voted in the affirmative are,

Aagle	E. Dunlap	Jenkins	Randall	Underwood
S. Baldwin	Edwards	Legg	Rowland	Wart
Beers	Ferguson	Leigh	Savage	Weed
Benedict	Fiero	Littlefield	Scott	Whitman
Bennett	Freeman	Littlejohn	Searing	Wilson
Bergen	Germann	McGraw	Sessions	Wilder
Burnett	Gott	McMurray	Sealey	D. Willis
Case	Harpur	S. F. Miller	Shi	J. E. Willis
Clinton	Hinkley	Munroe	Smalley	Williams
Cook	Hoyle	Nelson	Speaker	Winne
Conkling	Hull	Odell	Stephens	D. P. Wood
Cost	Nat. Hutchinson	Palmer	Sterling	J. S. Wood
Crocheron	Mos Hutchinson	Peters	Townsend	W. H. Wood
A. A. Dunlop				

66

Those who voted in the negative are,

Collins	Graham	Richards
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8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly do insist upon said amendment.

By unanimous consent,

Mr. D. P. Wood, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act in relation to Dental surgery," reported in writing.

The Senate bill entitled "An act to authorise the Lockport and Mansfield plank road company to borrow money and relieve them from extending their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	G. Miller	Speaker
Bailey	Cost	Holdridge	Mitchell	Sterling
Baker	Crocheron	Hollenbeck	Morris	Suffern
S. Baldwin	Cumming	Howell	Odell	Thompson
Barrow	Cushman	Hoyle	Palmer	Townsend
Baucus	Dewey	Mat. Hutchinson	Peters	Wart
Benedict	A. A. Dunlap	Mos. Hutchinson	Randall	Weed
Bennett	R. Dunlap	Jenkins	Rose	Whitman
Bergen	Edwards	Joy	Rowland	Wilson
Boardman	Ferguson	Lee	Scott	Wilder
Bostwick	Fiero	Legg	Searing	D. Willis
Brust	Freeman	Leigh	Sealsons	J. E. Willis
Burgess	Germain	Littlefield	Seeley	Winne
Case	Gleason	Lozier	Sharp	D. P. Wood
Chesbro	Gott	Maguire	Sill	W. H. Wood
Clinton	Hatch	McMurray	Smalley	79

Those who voted in the negative are,

Collins Graham

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to authorise a survey and estimate for a feeder to the Genesee Valley canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	Noble	Sterling
Bailey	Conkling	Mos. Hutchinson	Odell	Suffern
Baker	Cumming	Jenkins	Palmer	Thompson
S. Baldwin	A. A. Dunlap	Lee	Payne	Thorn
Barrow	Edwards	Legg	Peters	Townsend
Beers	Ferguson	Leigh	Randall	Underwood
Benedict	Fiero	Littlejohn	Rowland	Wart
Bennett	Freeman	Lozier	Savage	Weed
Bergen	Germain	Maguire	Scott	Whipple

Boardman	Gibbs	Mallory	Searing	White
Boyd	Graham	Martin	Sessions	Wilder
Brust	Harpur	May	Seeley	D. Willis
Burgess	Holdridge	Mclerray	Sill	J. E. Willis
Burnett	Howell	S. F. Miller	Smalley	Winne
Cass	Hoyle	Morris	Speaker	D. P. Wood
Clinton	Hull	Nelson	Stephens	W. H. Wood 80

These who voted in the negative are,

Collins	Dawson	R. Dunlap	Hinkley
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4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for the erection of a town hall in the town of West Farms, in the county of Westchester," was read a third time.

■ Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 70 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Brust	Gleason	Lozier	Smalley
Bailey	Burgess	Harpur	Maguire	Speaker
Baker	Burnett	Harris	Mclerray	Stephens
R. J. Baldwin	Cass	Hinkley	S. F. Miller	Suffern
S. Baldwin	Chesebro	Holdridge	Mitchell	Townsend
Barrow	Clinton	Howell	Morris	Wart
Barton	Conkling	Hoyle	Nelson	Weed
Bausus	Cost	Hull	Odell	Whipple
Beers	Cumming	Mat. Hutchinson	Palmer	White
Benedict	Cushman	Mos. Hutchinson	Payne	Wilson
Bennett	A. A. Dunlap	Jenkins	Peters	Williams
Bergen	Fiero	Joy	Sessions	Winne
Boardman	Freeman	Leigh	Seeley	D. P. Wood
Boatwick	Germain	Littlefield	Sill	W. H. Wood 70

Those who voted in the negative are,

Atken	Dawson	Mills	Savage	Ward
Collins	Graham	Richards		

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Benedict, from the select committee to which was referred the bill entitled "An act relative to railroads held under lease," to report complete, reported the same complete with amendments, which report was agreed to.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 33 }
{ NOES 31 }

Those who voted in the affirmative are,

Aitken	Burnett	Harris	Mitchell	Seeley
Bailey	Case	Holdridge	Noble	Speaker
Baker	Cook	Hoyle	Odell	Stephens
Backus	Cumming	Mos. Hutchinson	Palmer	Townsend
E. J. Baldwin	Dawson	Jenkins	Payne	Ward
S. Baldwin	Dewey	Leigh	Peters	Weed
Barrow	A. A. Dunlop	Littlefield	Randall	Whitman
Barton	Fiero	Littlejohn	Richards	Wilder
Beers	Germain	Loxier	Scott	J. E. Willis
Benedict	Gott	Mallory	Searing	Winne
Bergen	Graham	Martin	Sessions	D. P. Wood
Boyd	Harpur	May		

85

Those who voted in the negative are,

Angle	Gleason	Lee	Sharp	Wart
Baucus	Hinkley	Legg	Sill	Whipple
Boardman	Hollenbeck	S. F. Miller	Smalley	White
Burgess	Howell	Rose	Sterling	Wilson
Crocheron	Hull	Rowland	Suffern	Williams
Edwards	Mat. Hutchinson	Savage	Thompson	W. H. Wood
Ferguson				

81

At half-past five o'clock p. m., Mr. Speaker announced that the House would take a recess.

SEVEN O'CLOCK, P. M.

The House again met.

On motion of Mr. Burnett,

The bill entitled "An act for the relief of John R. Thurman," was referred to the committee on the judiciary.

The Senate bill entitled "An act in relation to school money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hollenbeck	Mitchell	Speaker
Aitken	Cookling	Hull	Morris	Suffern
Bailey	Crocheron	Mat. Hutchinson	Palmer	Townsend
S. Baldwin	Dawson	Mos. Hutchinson	Richards	Underwood
Barton	Dewey	Jenkins	Rose	Ward
Baucus	R. Dunlap	Lee	Rowland	White
Benedict	Edwards	Leigh	Savage	Whitman

Bennett	Piero	Littlefield	Searing	Wilder
Bergen	Freeman	Lozier	Sessions	J. E. Willis
Boardman	Germain	Maguire	Seeley	Williams
Brust	Graham	Mallory	Sharp	Winne
Burnett	Harpur	McGraw	Sill	D. P. Wood
Chesebro	Hatch	McMurray	Smalley	W. H. Wood
Clinton	Hinkley			

67

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed said bill without amendment.

The bill entitled "An act to authorize canal appraisers to examine and report upon certain canal claims for canal damages," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	McMurray	Speaker
Aitken	Cook	Hinkley	G. Miller	Suffern
Bailey	Collins	Heldridge	Mitchell	Thompson
Baker	Conkling	Hollenbeck	Morris	Townsend
B. J. Baldwin	Crocheron	Howell	Noble	Underwood
S. Baldwin	Cumming	Hull	Palmer	Ward
Barrow	Dawson	Mat. Hutchinson	Peters	Weed
Barton	R. Dunlap	Mos. Hutchinson	Richards	White
Bancus	Edwards	Jenkins	Rose	Whitman
Benedict	Ferguson	Kinney	Rowland	Wilson
Bennett	Piero	Lee	Savage	Wilder
Bergen	Freeman	Leigh	Scott	J. E. Willis
Boardman	Germain	Littlefield	Searing	Williams
Brust	Gott	Lozier	Sessions	Winne
Burgess	Graham	Mallory	Seeley	D. P. Wood
Burnett	Harpur	Martin	Sill	W. H. Wood
Chesebro	Harris	McGraw	Smalley	

84

For the negative,

Sharp

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act allowing the continued use of copartnership names in certain cases."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Crocheron	Hollenbeck	Nelson	Speaker
Aitken	Cumming	Howell	Noble	Suffern
Bailey	Cushman	Hull	Palmer	Townsend
Baker	Dawson	Mat. Hutchinson	Peters	Underwood
Backus	R. Dunlap	Mos. Hutchinson	Richards	Ward
R. J. Baldwin	Edwards	Jenkins	Rose	Weed
S. Baldwin	Ferguson	Kinney	Rowland	White
Barrow	Fiero	Lee	Savage	Whitman
Barton	Freeman	Lozier	Scott	Wilson
Bennett	Germain	Maguire	Searing	Wilder
Bergen	Graham	Mallory	Sessions	D. Willis
Brust	Harpur	Martin	Seeley	J. E. Willis
Burgess	Hatch	McGraw	Sharp	D. P. Wood
Chesebro	Hinkley	McMurray	Sill	J. S. Wood
Clinton	Holdridge	Mitchell	Smalley	W. H. Wood
Conkling				76

Those who voted in the negative are,

Boardman	Leigh	Thompson	8
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Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

On motion of Mr. Chesebro,

The bill to amend certain acts relative to the city of Albany, was referred to the committee on the incorporation of cities and villages.

Mr. Speaker announced the business in order the special order, it being the consideration of the bill entitled as follows :

"An act for defraying certain expenses of government."

The House then resolved itself into a committee of the whole upon the foregoing bill :

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. R. J. Baldwin, from said committee, reported progress upon the aforesaid bill, and asked and obtained leave to sit again.

A message from the Governor was received and read, returning, with his objections to the same becoming a law, the bill entitled as follows :

"An act to appoint commissioners to investigate and examine into the pecuniary affairs and condition of the several State Prisons, and to report thereon ; and also such laws as they may deem proper for the better regulation and discipline of said Prisons, to the Legislature of this State."

EXECUTIVE CHAMBER, *Albany, April 14, 1854.*

HON. ROBERT H. PRUYN, *Speaker of the Assembly :*

I return to the Assembly, with my objections to its becoming a law, "An act to appoint Commissioners to investigate and examine into the pecuniary affairs and condition of the several State Prisons, and to report thereon, and also such laws as they may

deem proper for the better regulation and discipline of said prisons, to the Legislature of this State."

The bill provides that it shall be the duty of the Comptroller to appoint three Commissioners to make the proposed examinations, and he is also required to appoint a Clerk and Sergeant-at-Arms. The Treasurer of the State is directed to pay, from time to time upon the warrant of the Comptroller to each of the said Commissioners, the Clerk and the Sergeant-at-Arms respectively, such sum or sums as the Comptroller shall certify to be a reasonable compensation for their services under this act.

By the Constitution of this State, three Inspectors of State Prisons are elected by the people, and are paid from the public treasury for performing the duties which this bill confers upon the commissioners to be appointed by this Comptroller. The powers of the Inspectors are clearly defined by our laws, and they embrace every object contemplated by this bill. The information which it is proposed to get by this expensive commission can be obtained from public officers who are liable to be impeached if they are guilty of any neglect of duty. The practice of appointing legislative or other commissions to be paid for the performance of duties which belong to public officers has been attended with great expense and no practical benefits. They are frequently got up for the purpose of giving employment or bestowing patronage at the expense of the State.

A committee was appointed in 1851 to examine the condition of our prisons, and their able and elaborate report made in 1851 has never been acted upon nor referred by the Legislature. These commissioners are governed by no rules nor fixed objects of enquiry. They usually become mere partizan inquisitions, and their reports are regarded with but little respect by the public, while their assumptions of powers, which belong to public officers, release the latter from their appropriate responsibilities. Sound policy requires that public officers should be held to a strict performance of their duties. If the State Prison Inspectors have neglected theirs they should be impeached. Our laws provide, if they are guilty of misconduct or malversation in office, that the Executive shall remove them.

The Constitution directs that the Governor shall "take care that the laws are fully executed." I shall observe this direction, not only with respect to the State Prison Inspectors, but in regard to all other officers, so far as my authority extends. Complaints are made that the Prisons of the State are not properly managed with regard to their finances and in other respects. In addition to the examination made by the legislative committee in 1851, my predecessor, in 1852, directed an investigation into the affairs of the Prison at Auburn. I shall examine into the complaints which are made at this time, and shall take care that the officers of the Prisons perform their duties, and give to the Legislature

and the public full and explicit information respecting the condition and management of the institutions under their charge.

The salutary bill which recently passed, establishing a sound financial system for our Prisons, will put an end to the creation of any more debts, and will enable the officers to manage them hereafter with more economy, as they will be able to pay promptly for every article they may buy for the State.

The bill which I return is also objectionable because it conflicts with the distribution of powers and duties of the several branches of the State government, made by the Constitution. The different departments derive their clearly defined powers from a common source, and they should be kept within their respective and proper limits. For this reason I have not responded to legislative resolutions of enquiry, which have been addressed to me, respecting the performance of the duties conferred upon the Governor of this State by the Constitution. For the same reason I object to this bill. In order to animate all branches of the State government with a sense of their appropriate duties, it is important that the rights of each should be understood by themselves and the public.

The constitutional distribution of power among the Legislative, Judicial and Executive departments should be observed and respected. It enables the people of the State to attach the proper responsibilities to the different public officers. It is essential to wise and intelligent legislation, to the faithful performance of duty, and the protection of private rights and public interests. All the objects of the bill are amply provided for by constitutional directions and statutory enactments. The bill will cause useless expense, and is not consistent with sound policy. I do not doubt that the State Prison Inspectors will perform their duties. If they do not, I shall "take care that the laws are faithfully executed."

HORATIO SEYMOUR.

Mr. Speaker put the question, "Shall this bill become a law notwithstanding the objections of the Governor?" and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 28 }

Those who voted in the affirmative are,

Angle	Cook	Harris	Mallory	Sharp
Bailey	Conkling	Hatch	Martin	Sill
Baker	Cost	Holdridge	May	Speaker
Backus	Crocheron	Howell	McGraw	Stephens
E. J. Baldwin	Cumming	Hoyle	McMurray	Townsend
S. Baldwin	Dewey	Hull	G. Miller	Underwood
Barrow	R. Dunlap	Mat. Hutchinson	Mitchell	Ward
Beers	Edwards	Mos. Hutchinson	Nelson	Weed
Benedict	Fiero	Jenkins	Noble	Wilson
Bennett	Freeman	Kinney	Palmer	Wilder
Bergen	Germain	Leigh	Peters	J. E. Willis

Boardman	Gleason	Littlefield	Rose	Winn
Burnett	Gott	Littlejohn	Savage	D. P. Wood
Case	Graham	Lozier	Scott	W. H. Wood
Chesebro	Harpur	Maguire	Sessions	74

Those who voted in the negative are,

Atken	Collins	Lee	Rowland	Thompson
Barton	Cushman	Legg	Seeley	White
Bancus	Dawson	Mills	Smalley	Whitman
Brust	Ferguson	S. F. Miller	Sterling	Williams
Burgess	Hinkley	Randall	Suffern	J. S. Wood
Clinton	Hollenbeck	Richards		28

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, notwithstanding the objections of the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to authorise the towns of Sodus, Arcadia and Phelps, to subscribe for the stock of the Sodus Point and Southern railroad."

Mr. Littlejohn, moved that said amendments be concurred in.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 68 {
{ NOES 01 {

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	Mitchell	Townsend
Bailey	Cook	Holdridge	Noble	Underwood
Backus	Crocheron	Hollenbeck	Palmer	Ward
R. J. Baldwin	Cumming	Jenkins	Peters	Wart
S. Baldwin	Cushman	Kinney	Rose	Weed
Barrow	Dewey	Leigh	Savage	Wilder
Barton	R. Dunlap	Littlefield	Scott	D. Willis
Bancus	Edwards	Littlejohn	Sessions	J. E. Willis
Bennett	Freeman	Maguire	Sharp	Williams
Bergen	Germain	Mallory	Sill	Winn
Boardman	Gott	Martin	Smalley	D. P. Wood
Brust	Graham	May	Speaker	J. S. Wood
Case	Harpur	McGraw	Stephens	W. H. Wood
Chesebro	Harris	G. Miller		66

Those who voted in the negative are,

Collins	Dawson	Mat. Hutchinson	Mills	Rowland
Conkling	Howell	Lozier	S. F. Miller	Suffern
				10

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to authorise the town of Norwich to borrow money to aid in the construction of the Utica and Binghamton railroad through said town."

Mr. R. J. Baldwin moved that said amendments be concurred in.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 70 }
{ NOES 07 }

Those who voted in the affirmative are,

Angle	Chesebro	Hinkley	Mitchell	Speaker
Bailey	Clinton	Hollenbeck	Morris	Stephens
Backus	Cook	Jenkins	Nelson	Sterling
R. J. Baldwin	Collins	Kinney	Noble	Townsend
S. Baldwin	Crocheron	Lee	Palmer	Underwood
Barrow	Dewey	Leigh	Peters	Ward
Barton	Ferguson	Littlefield	Rose	Weed
Baucus	Fiero	Littlejohn	Savage	Wilson
Benedict	Germain	Mallory	Scott	Wilder
Bennett	Gott	Mather	Searing	J. E. Willis
Bergen	Graham	May	Sessions	Winne
Boardman	Harpur	McGraw	Seeley	D. P. Wood
Boatwick	Harris	McMurray	Sharp	J. S. Wood
Case	Hatch	G. Miller	Sill	W. H. Wood 70

Those who voted in the negative are,

Conkling	Lozier	Suffern	White	Whitman
Hoyle	Mills			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, and amended the same accordingly.

Mr. Speaker announced the business in order the special order, it being the consideration of the bill entitled as follows:

"An act to defray certain expenses of government."

The House then resolved itself into a committee of the whole upon the aforesaid bill.

After some time spent thereon, Mr. Speaker resumed the chair, and Mr. R. J. Baldwin, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

On motion of Mr. D. P. Wood,

The House at a quarter to four o'clock, adjourned.

SATURDAY, APRIL 15, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday were read and approved.

The Senate bill entitled "An act to amend and in addition to the several acts relative to joint stock associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Brust	Harpur	Martin	Smalley
Aitken	Burgess	Hatch	McMurray	Speaker
Bailey	Cheesebro	Hinkley	G. Miller	Sterling
Baker	Clinton	Hollenbeck	Mitchell	Townsend
Backus	Collins	Hoyle	Noble	Underwood
S. Baldwin	Conkling	Mat. Hutchinson	Odell	Ward
Barrow	Crocheron	Mos. Hutchinson	Palmer	Whitman
Barton	Cumming	Kinney	Randall	Wilson
Baucus	Cushman	Leigh	Rowland	Wilder
Beers	Dawson	Littlefield	Scott	J. E. White
Benedict	Edwards	Littlejohn	Seeley	Williams
Bennett	Germain	Lozier	Sharp	Winne
Bergen	Graham	Maguire	Sheeley	J. S. Wood
Boardman				

66

Those who voted in the negative are,

Mills White

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

By unanimous consent,

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the improvement of the Saranac river and lakes," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

The Senate bill entitled "An act to amend an act passed June 25, 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" coming up for its third reading,

On motion of Mr. Hull, and by unanimous consent,
Said bill was amended by striking out the following:

"No mutual insurance company organized under this act, or under any other law of this State, shall make any insurance or take any risk upon property in any corporate city out of the county in which said company is located."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	Martin	Sill
Altken	Conkling	Holdridge	May	Speaker
Bailey	Crocheron	Howell	McMurray	Sterling
Baker	Cumming	Hoyle	G. Miller	Townsend
Backus	Cushman	Hull	Mitchell	Underwood
S. Baldwin	Dawson	Mat. Hutchinson	Morris	Ward
Barrow	R. Dunlap	Mos. Hutchinson	Noble	Weed
Barton	Edwards	Joy	Odell	Wilson
Beers	Ferguson	Kinney	Palmer	Wilder
Benedict	Fiero	Leigh	Randall	J. E. Willis
Bennett	Germain	Littlefield	Rowland	Williams
Bergen	Gibbs	Littlejohn	Scott	Winne
Brust	Graham	Lozier	Seeley	D. P. Wood
Burgess	Harpur	Maguire	Sharp	J. S. Wood
Chesebro	Hatch			

73

Those who voted in the negative are,

Boardman Freeman

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

By unanimous consent,

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act to incorporate the New-York and Havre steam navigation company, passed April 4, 1849," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The Senate bill entitled "An act to amend an act to incorporate the Young Men's Association for mutual improvement, in the city of Albany, passed March 12, 1835," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Brust	Graham	Mitchell	Suffern
Aitken	Cass	Harpur	Morris	Townsend
Baker	Chesbro	Hinkley	Noble	Ward
Backus	Cook	Holdridge	Odell	Wood
S. Baldwin	Conkling	Mat. Hutchinson	Palmer	Whitman
Barrow	Orocheron	Kinney	Randall	Wilson
Barton	Cumming	Leigh	Scott	Wilder
Beers	Cushman	Littlejohn	Seeley	J. E. Willis
Benedict	Edwards	Lozier	Sharp	Williams
Bennett	Fiero	Martin	Smalley	Winne
Bergen	Freeman	May	Speaker	D. P. Wood
Boardman	Germain	McMurray	Stephens	J. S. Wood
Bostwick	Gott	G. Miller	Sterling	W. H. Wood 68

For the negative,

Mills

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

By unanimous consent,

Mr. Germain, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the building of a draw bridge across the Conjoacketies creek, in the town of Black Rock, in the county of Erie," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Odell, from the committee on ways and means, to which was referred the bill entitled "An act appropriating money to the Geneva College," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

On motion of Mr. Savage, and by unanimous consent,

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of croton water in the city and county of New-York,'" to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to incorporate the Inventors' Business Company of New-York," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Mitchell, from the committee on claims, to which was referred the bill entitled "An act for the relief of Albert Patten and Franklin J. Patten," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. May, from the select committee to which was referred the bill entitled "An act for the relief of the Scio and Bolivar plank road company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Barrow, from the select committee to which was referred the bill entitled "An act to incorporate the New Amsterdam savings bank," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Lozier, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to legalize certain acts of the board of supervisors of the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Mitchell, from the committee on claims, to which was referred the bill entitled "An act for the appraisalment of canal damages of John Flynn," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Weed, from the select committee to which was referred the bill entitled "An act to authorise the laying out, opening and working of a public highway in the village of Canandaigua," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Angle, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to provide for the education of children of the Tuscarora Indians, in the county of Niagara," to report forthwith complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Sill, from the select committee, to which was referred the bill entitled "An act to incorporate the Protective Insurance Com-

pany of the city of New-York," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

The select committee consisting of the Erie county delegation, to which was referred the bill entitled "An act to amend the act entitled 'An act to amend the several acts relating to the Cayuga creek road, in the county of Erie, passed March 29, 1848, March 27, 1849, and June 20, 1851,' passed April 9, 1853," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Littlejohn, from the committee on canals, to which was referred the bill entitled "An act to authorise Wm. H. Radcliff to erect and maintain a dam across the Genesee river," reported that the committee had had said bill under consideration, and come to the conclusion that the same ought not to be passed into a law, which report was agreed to.

By unanimous consent,

Mr. Cumming, from the committee on trade and manufactures, to which was referred the bill entitled "An act requiring butter firkins, tubs, cheese boxes and casks, to be marked when manufactured," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Cumming, from the select committee to which was referred the bill entitled "An act to raise \$40,000 addition, to complete the south wing of the work house on Blackwell's Island," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Barton, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend the act in relation to plank roads," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the construction of a canal in the city of Brooklyn, for drainage and other purposes,' passed March 6, 1849," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

By unanimous consent,

Mr. Bergen, from the select committee to which was referred the bill entitled "An act to widen Fulton and Jerusalem streets, between Red Hook lane and Court street, in the city of Brooklyn," to report complete, reported the same complete with amendments, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Benedict, from the committee on banks, to which was referred the several petitions praying for an investigation into the affairs of the Farmers' bank of Onondaga, reported in writing.

On motion of Mr. Fiero,

Resolved, That all papers now in the hands of the committee on claims relating to an act to provide for the appraisal and payment of canal damages sustained by Ephraim Beach, may be withdrawn from said committee, at his request.

On motion of Mr. Sterling,

Resolved, That the president and directors of the Metropolitan bank, and the president and directors of the American Exchange bank, reply forthwith to the resolutions of inquiry which were passed by this House on the 28th day of February last.

By unanimous consent,

Mr. Williams, from the committee on the erection and division of towns and counties, to which was referred the bill entitled "An act to divide the town of Addison, in the county of Steuben, and erect the town of Tuscarora," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Littlejohn, from the committee on canals, reported a bill entitled "An act for the relief of Milton Murray and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolution in the words following, to wit:

Resolved, (if the Assembly concur,) That the Attorney General, if in his opinion there is cause of action, be instructed to commence an action forthwith against George W. Newell, late Auditor of the Canal Department, to recover to the State any moneys advanced by said Newell to certain alleged canal superintendents, without authority of law, as reported to the Senate on the second day of March last by the present Auditor.

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to authorize the town of Sherburne to borrow money to aid in the construction of a railroad through said town."

Mr. Ward moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Case	Holdridge	Morris	Underwood
Aitken	Cook	Jenkins	Nelson	Ward
Bailey	Crocheron	Kinney	Noble	Wart
Backus	Cumming	Lee	Odell	Weed
S. Baldwin	Dawson	Leigh	Peters	Whitman
Barrow	Edwards	Littlefield	Searing	Wilson
Barton	Fiero	Littlejohn	Seeley	Wilder
Beers	Freeman	Lozier	Sharp	D. Willis
Benedict	Germain	Maguire	Sill	J. E. Willis
Bennett	Gleason	Martin	Speaker	Williams
Bergen	Gott	May	Stephens	D. P. Wood
Boardman	Harpur	McGraw	Sterling	J. S. Wood
Boetwick	Harris	McMurray	Suffern	W. H. Wood
Brust	Hinkley	Mitchell	Townsend	

69

Those who voted in the negative are,

Conkling	Howell	Mos. Hutchinson	Rowland	Smalley
Hatch	Mat. Hutchinson	Mills		

8

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to authorise the town of Oxford to borrow money to aid in the construction of a railroad through said town, and to issue stock and negotiate bonds for that purpose."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 08 }

Those who voted in the affirmative are,

Angle	Case	Holdridge	Nelson	Underwood
Aitken	Clinton	Jenkins	Noble	Ward
Bailey	Cook	Lee	Odell	Wart
Backus	Crocheron	Leigh	Peters	Weed
S. Baldwin	Cumming	Littlefield	Rowland	Whitman
Barrow	R. Dunlap	Littlejohn	Scott	Wilson
Barton	Ferguson	Lozier	Searing	Wilder
Beers	Fiero	Martin	Seeley	J. E. Willis
Benedict	Germain	May	Sharp	Williams
Bennett	Gleason	McGraw	Sill	Winne
Bergen	Graham	McMurray	Speaker	D. P. Wood
Boardman	Harpur	G. Miller	Stephens	J. S. Wood
Boetwick	Harris	Mitchell	Sterling	W. H. Wood
Brust	Hinkley	Morris	Townsend	

69

Those who voted in the negative are,

Conkling	Hatch	Mat. Hutchinson	Suffern	White	8
Dawson	Howell	Mos. Hutchinson			

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act in relation to common schools in the city of New-York."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, are,

Angle	Clinton	Holdridge	Nelson	Suffern	82
Aitken	Cook	Hoyle	Noble	Townsend	
Bailey	Conkling	Mat. Hutchinson	Odell	Underwood	
Baker	Orocheron	Mos. Hutchinson	Peters	Ward	
S. Baldwin	Cumming	Jenkins	Rowland	Wart	
Barrow	Dawson	Lee	Savage	Weed	
Barton	R. Dunlap	Leigh	Scott	White	
Beers	Edwards	Littlefield	Searing	Whitman	
Benedict	Ferguson	Maguire	Sessions	Wilson	
Bennett	Fiero	Martin	Seeley	Wilder	
Bergen	Freeman	May	Sharp	J. E. Willis	
Boardman	Germain	McGraw	Sill	Williams	
Boatwick	Gleason	McMurray	Smalley	Winne	
Brust	Graham	G. Miller	Speaker	D. P. Wood	
Burgess	Harpur	Mitchell	Stephens	J. S. Wood	
Case	Harris	Morris	Sterling	W. H. Wood	
Chesebro	Hinkley				

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act to fix the salary of the Secretary of State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 67 }
{ NOES 13 }

Those who voted in the affirmative are,

Angle	Chesebro	Graham	Littlejohn	Stephens
Aitken	Clinton	Harris	May	Sterling
Baker	Cook	Hinkley	McGraw	Suffern
Backus	Conkling	Holdridge	Morris	Townsend

S. Baldwin	Cumming	Howell	Noble	Underwood
Barrow	A. A. Dunlop	Hoyle	Peters	Ward
Barton	B. Dunlap	Mat. Hutchinson	Savage	Weed
Beers	Edwards	Mos. Hutchinson	Scott	Wilson
Bennett	Ferguson	Jenkins	Searing	Wilder
Bergen	Fiero	Joy	Seasious	D. Willis
Boardman	Freeman	Kinney	Seeley	J. E. Willis
Brust	Germain	Lee	Sharp	D. P. Wood
Burgess	Gleason	Leigh	Speaker	W. H. Wood
Case	Gott			

67

Those who voted in the negative are,

Bailey	Lozier	Mitchell	Sill	Winne
Crocheron	Maguire	Randall	Whitman	J. S. Wood
Harpur	Mills	Rowland		

18

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to authorise the connection between the Junction canal and the Chemung canal, and to regulate the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to borrow \$500,000 for the purpose of building a new reservoir, purchasing lands, and extending the Croton water works," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Conkling, and by unanimous consent,

Ordered, That said bill be read a third time.

The Senate bill entitled "An act in relation to the New-York institution for the instruction of the deaf and dumb," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Crocheron	Holdridge	Mills	Sterling
Aitken	Cumming	Howell	G. Miller	Suffern
Baker	Cushman	Hull	Mitchell	Townsend
S. Baldwin	Dawson	Mat. Hutchinson	Morris	Underwood
Barrow	A. A. Dunlop	Mos. Hutchinson	Nelson	Ward
Barton	R. Dunlap	Jenkins	Noble	Wart
Beers	Edwards	Joy	Rowland	Weed
Bennett	Fiero	Kinney	Savage	White
Bergen	Freeman	Lee	Scott	Wilder

Boardman	Gormain	Leigh	Seadons	D. Willis
Brust	Gleason	Littlefield	Seeley	J. E. Willis
Burgess	Graham	Littlejohn	Sharp	Williams
Cass	Harpur	Losier	Sill	Winn
Chesebro	Harris	Maguire	Speaker	D. F. Wood
Cook	Hatch	May	Stephens	J. S. Wood
Coakling	Hinkley	McGraw		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

Mr. Jenkins, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to legalize the election held for charter officers in the village of Geneva on the 3d day of April, 1854," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Jenkins, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the Yonkers water works company," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

On motion of Mr. Peters,

Resolved, That after the adjournment of the Legislature, the superintendent of the Capitol be directed to take charge of all the bills and documents that shall remain, and deposit the same in some convenient place in this building for future reference.

Mr. Benedict offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (if the Senate concur,) That a select committee of two on the part of the Senate, and three on the part of the Assembly, be appointed, whose duty it shall be during the recess of the Legislature, and at as early a day as practicable, to inquire whether Columbia College, or any of its trustees, have violated any provision of law or of its charter, and particularly whether said college, or any of its trustees, have in any way required any, and if any, what religious qualification or test from any candidate as a condition of appointment to any professorship in said college. And further to inquire into the means and resources of said college, and the administration of its affairs at large; and that such committee have power to send for persons and papers.

Mr. Fiero moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the said resolution, and it was determined in the negative.

{ AYES 30 }
{ NOES 37 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Conkling	Graham	Mitchell	Seeley
Baker	Dawson	Jenkins	Morris	Sharp
Backus	A. A. Dunlop	Joy	Nelson	Sill
Benedict	Edwards	Littlefield	Noble	Speaker
Bergen	Fiero	Maguire	Payne	Thorn
Clinton	Germain	McMurray	Savage	Weed

30

Those who voted in the negative are,

Aitken	Case	Mat. Hutchinson	Odell	Ward
E. Baldwin	Cumming	Mos. Hutchinson	Peters	White
Barrow	Cushman	Kinney	Randall	Whitman
Beers	R. Dunlap	Lee	Rowland	Wilder
Bennett	Freeman	Martin	Searing	D. Willis
Boardman	Harpur	McGraw	Sessions	Williams
Brust	Hinkley	Mills	Suffern	W. H. Wood
Burgess	Hoyle			

37

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act to release the Fish Kill and Beekman plank road company from the construction of a part of their road, and for other purposes."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. A. A. Dunlop, from the committee on banks, to which was referred the bill entitled "An act to incorporate the sixpenny savings bank of the city of Albany," to report complete, reported the same complete without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

On motion of Mr. G. Miller, and by unanimous consent,

Resolved, That Senate bill No. 263, entitled "An act to increase the number of wreckmasters in the county of Suffolk," be ordered to a third reading.

The Senate bill entitled "An act for the relief of Albert Patten and Franklin J. Patten," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cumming	Mos. Hutchinson	Odell	Underwood
Aitken	Dawson	Jenkins	Peters	Ward
Bailey	A. A. Dunlop	Joy	Richards	Wart

Baker	R. Dunlap	Kinney	Richardson	Whipple
R. J. Baldwin	Edwards	Lee	Rowland	White
S. Baldwin	Fiero	Deigh	Scott	Whitman
Barrow	Freeman	Littlefield	Searing	Wilson
Barton	Germain	Lozier	Semmons	Wilder
Beers	Gleason	Maguire	Seeley	D. Willis
Benedict	Gott	May	Sill	J. E. Willis
Bergen	Harpur	McGraw	Speaker	Williams
Boardman	Harris	McMurray	Stephens	Winne
Burgess	Hinkley	G. Miller	Sterling	D. P. Wood
Case	Howell	Mitchell	Suffern	J. S. Wood
Chesebro	Hoyle	Nelson	Thompson	W. H. Wood
Cook	Mat. Hutchinson	Noble	Townsend	

79

Those who voted in the negative are,

Backus Mills

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed said bill without amendment.

The bill entitled "An act to regulate the labor of adults and minors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 43 }
{ NOES 32 }

Those who voted in the affirmative are,

Angle	Cenklng	Littlejohn	Savage	Underwood
Aitken	Cumming	Lozier	Searing	Wart
Bailey	Dawson	May	Semmons	Whipple
Baker	R. Dunlap	McGraw	Seeley	White
Barrow	Fiero	Morris	Sill	Whitman
Benedict	Graham	Nelson	Speaker	D. Willis
Bennett	Harpur	Peters	Sterling	Williams
Boardman	Mat. Hutchinson	Richardson	Thorn	D. P. Wood
Case	Littlefield	Rowland		

48

Those who voted in the negative are,

S. Baldwin	Clinton	Hinkley	McMurray	Wilson
Barton	Crocheron	Holdridge	Mills	Wilder
Beers	A. A. Dunlap	Hoyle	Noble	J. E. Willis
Bergen	Edwards	Mat. Hutchinson	Randall	Winne
Brust	Ferguson	Kinney	Suffern	J. S. Wood
Burgess	Germain	Lee	Weed	W. H. Wood
Chesebro	Gleason			

32

A message from the Governor was received and read, communicating a statement of the pardons, commutations and respites from the various prisons during the year 1853.

The Senate bill entitled "An act to authorise the connection between the Jupotion canal and the Chemung canal, and to regulate the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

- affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cheesebro	Gott	McGraw	Suffern
Aitken	Clinton	Harpur	McMurray	Thorn
Bailey	Cook	Harris	S. F. Miller	Ward
Baker	Collins	Hinkley	Mitchell	Wart
Beckus	Conkling	Holdridge	Morris	Weed
R. J. Baldwin	Crocheron	Hoyle	Nelson	Whipple
S. Baldwin	Cumming	Mat. Hutchinson	Odell	White
Barrow	Cushman	Kinney	Peters	Wilson
Barton	A. A. Dunlap	Kirkland	Randall	D. Willis
Beers	R. Dunlap	Littlefield	Rowland	J. E. Willis
Benedict	Ferguson	Littlejohn	Scott	Williams
Bennett	Fiero	Lowler	Searing	Winne
Bergen	Freeman	Maguire	Sharp	D. P. Wood
Boardman	Germain	Martin	Speaker	J. S. Wood
Borgess	Gleason	May	Sterling	W. H. Wood
Cass				

76

For the negative,

Dawson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to defray certain expenses of government," coming up for its third reading,

On motion of Mr. Peters, and by unanimous consent,

Said bill was amended so as to allow each of the committee appointed by the Senate in 1853 to investigate the affairs of Union College, \$500 dollars and mileage, for his services in said investigation.

On motion of Mr. Speaker, and by unanimous consent,

Said bill was further amended as follows :

"To Michael Conway, for himself and other policemen, for their services at the opening of the Assembly at the present session, thirty-five dollars, to be certified by the Speaker."

Mr. R. J. Baldwin moved to recommit said bill with instructions to amend so as to increase the pay for subpoenaing witnesses.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. R. J. Baldwin, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 87 }
{ NOES 04 }

Those who voted in the affirmative are,

Angle	Conkling	Hinkley	McGraw	Sterling
Bailey	Crocheron	Howell	G. Miller	Suffern
Baker	Cumming	Hoyle	S. F. Miller	Thorn
Backus	Cushman	Hull	Mitchell	Underwood
R. J. Baldwin	Dawson	Mat. Hutchinson	Morris	Ward
S. Baldwin	A. A. Dunlap	Mos. Hutchinson	Noble	Wart
Barrow	R. Dunlap	Jenkins	Odell	Weed
Barton	Edwards	Kinney	Palmer	Whipple
Beers	Ferguson	Lee	Peters	Wilson
Benedict	Fiero	Leigh	Richards	Wilder
Bennett	Freeman	Littlefield	Rowland	D. Willis
Bergen	Germain	Littlejohn	Sessions	J. E. Willis
Boardman	Gleason	Lozier	Seeley	Williams
Burgess	Gott	Maguire	Sharp	Winne
Case	Graham	Mallory	Sill	D. P. Wood
Chesebro	Harpur	Martin	Speaker	J. S. Wood
Cook	Harris	May	Stephens	W. H. Wood
Collins	Hatch			

87

Those who voted in the negative are,

Clinton	Mills	White	Whitman
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4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relating to schools in the Tonawanda reservation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Howell	Mitchell	Sterling
Aitken	Dawson	Hull	Nelson	Suffern
Bailey	Dewey	Mat. Hutchinson	Noble	Thompson
R. J. Baldwin	A. A. Dunlap	Jenkins	Odell	Thorn
S. Baldwin	R. Dunlap	Kinney	Palmer	Underwood
Barrow	Edwards	Kirkland	Payne	Ward
Beers	Ferguson	Lee	Peters	Wart
Benedict	Fiero	Legg	Richards	Whipple
Bennett	Freeman	Leigh	Rowland	Whitman
Bergen	Germain	Littlejohn	Savage	Wilson
Boardman	Gleason	Maguire	Scott	Wilder
Burgess	Gott	Mallory	Sessions	D. Willis
Case	Graham	May	Seeley	Williams
Chesebro	Harpur	McGraw	Sharp	Winne
Cook	Hatch	McMurray	Sill	D. P. Wood
Collins	Hinkley	G. Miller	Speaker	W. H. Wood
Conkling	Heldridge	S. F. Miller	Stephens	

84

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to incorporate the Albany dime savings bank, in the city of Albany."

Mr. Chesebro moved that the House concur in all the amendments of the Senate except striking out the name of Powers L. Green.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Chesebro, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 02 }

Those who voted in the affirmative are,

Aitken	Conkling	Harris	McGraw	Suffern
Bailey	Cost	Hatch	McMurray	Thorn
Baker	Orocheron	Howell	G. Miller	Underwood
Backus	Cumming	Hoyle	Mitchell	Ward
R. J. Baldwin	Cushman	Mat. Hutchinson	Morris	Wart
S. Baldwin	A. A. Dunlop	Jenkins	Nelson	Weed
Barrow	R. Dunlap	Kinney	Noble	Whipple
Beers	Edwards	Lee	Odell	Wilson
Benedict	Ferguson	Legg	Rowland	Wilder
Bennett	Fiero	Leigh	Savage	D. Willis
Bergen	Freeman	Littlefield	Scott	J. E. Willis
Boardman	Germain	Littlejohn	Sessions	Williams
Case	Gleason	Lozier	Sill	Winne
Clinton	Gorham	Maguire	Speaker	D. P. Wood
Cook	Gott	Mallory	Stephens	W. H. Wood
Collins	Harpar	May	Sterling	

79

Those who voted in the negative are,

Mills Seeley

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, except striking out the name of Powers L. Green.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to amend chapter 281 of the Session Laws of 1836, entitled 'An act to protect sidewalks along highways,' passed May 10, 1836."

Mr. Case moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly

voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Crocheron	Holdridge	Martin	Sterling
Bailey	Cushman	Hollenbeck	McGraw	Thompson
Baker	Dawson	Howell	McMurray	Thorn
Backus	Dewey	Hoyle	G. Miller	Townsend
R. J. Baldwin	A. A. Dunlop	Hull	Morris	Underwood
S. Baldwin	R. Dunlap	Mat. Hutchinson	Noble	Wart
Barrow	Ferguson	Mos. Hutchinson	Odell	Weed
Beers	Fiero	Jenkins	Palmer	Whipple
Benedict	Freeman	Kinney	Peters	Wilson
Bennett	Gleason	Lee	Rowland	Wilder
Bergen	Gorham	Leigh	Scott	D. Willis
Bostwick	Gott	Littlefield	Sessions	J. E. Willis
Boyd	Graham	Littlejohn	Seeley	Williams
Burgess	Harpur	Lozier	Sill	D. P. Wood
Case	Harris	Maguire	Speaker	W. H. Wood
Conkling	Hinkley	Mallory	Stephens	

79

For the negative,

Mills

1

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act to provide for the drainage of a part of the Rome swamp, in the town of Rome, in the county of Oneida."

Mr. Boardman moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Harris	McGraw	Speaker
Bailey	Conkling	Hinkley	McMurray	Sterling
Baker	Crocheron	Howell	G. Miller	Suffern
Backus	Cumming	Hoyle	Mitchell	Thorn
R. J. Baldwin	Dawson	Hull	Morris	Underwood
S. Baldwin	Dewey	Mat. Hutchinson	Nelson	Wart
Barton	A. A. Dunlop	Mos. Hutchinson	Palmer	Weed
Baucus	R. Dunlap	Jenkins	Peters	Whitman
Beers	Ferguson	Joy	Richards	Wilson
Benedict	Fiero	Kinney	Rowland	Wilder
Bennett	Freeman	Lee	Savage	D. Willis
Bergen	Germain	Littlefield	Scott	J. E. Willis
Boardman	Gleason	Littlejohn	Seating	Williams

Burgess
Case
Chesebro
Clinton

Gott
Hall
Harpur

Lozier
Mallory
Martin

Sessions
Sill
Smalley

Winne
D. P. Wood
W. H. Wood

81

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to incorporate the Rose Hill savings bank."

Mr. Ward moved the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cumming	Mos. Hutchinson	Palmer	Thorn
Bailey	Cushman	Jenkins	Peters	Underwood
Baker	Dawson	Kinney	Preston	Ward
R. J. Baldwin	Dewey	Leigh	Randall	Wart
S. Baldwin	A. A. Dunlop	Littlefield	Richards	Weed
Beers	R. Dunlap	Littlejohn	Rowland	Whipple
Benedict	Edwards	Lozier	Savage	Whitman
Bennett	Ferguson	Maguire	Searing	Wilson
Bergen	Heason	Mallory	Seeley	Wilder
Boardman	Gott	May	Sharp	D. Willis
Brust	Graham	McGraw	Sill	J. E. Willis
Burgess	Harpur	G. Miller	Smalley	Winne
Case	Harris	Mitchell	Speaker	D. P. Wood
Cook	Hatch	Morris	Stephens	J. S. Wood
Conkling	Hinkley	Munroe	Sterling	W. H. Wood
Cost	Hoyle	Noble	Suffern	

79

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Benedict,

Resolved, That at half-past one this House will take a recess until half-past three o'clock this afternoon.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled as follows:

"An act to confirm the election of officers in the village of Ellicottville."

"An act to amend the act entitled 'An act for the relief of assessors for enrolling the militia in the year eighteen hundred and fifty-two.'"

"An act to enable Isabell McDonald to hold and convey real estate."

"An act to incorporate the Oswego city library."

"An act for the relief of the Erie and New-York city railroad company."

"An act to amend an act entitled 'An act to authorise the inhabitants of the town of Malone to borrow money for the purpose

of widening and improving the bridge over Salmon river, in the village of said town,' passed March 1, 1832."

"An act to amend the act entitled 'An act in relation to weights and measures,' passed April 11, 1851."

"An act to change the time of holding the annual meeting for the election of directors of the East Hamburg turnpike road and bridge company, and to reduce the number of directors of said company, and to allow said company to take increased tolls."

"An act to amend an act relative to the census or enumeration of the inhabitants of this State, passed May 7, 1845."

"An act to amend an act passed April 14, 1852, entitled 'An act further to amend the act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847.'"

"An act for the relief of John Dillenbeck."

"An act for the relief of the Williamsburgh Dispensary."

"An act further to amend the act relative to the New-York Dry Dock Company."

"An act to enable the trustees of the Lancaster School Society at Poughkeepsie, to convey the real estate owned and held by said society to the trustees of the village of Poughkeepsie."

"An act to incorporate the United States Inebriate Asylum for the reformation of the poor and destitute inebriate."

"An act for the relief of Moses W. Lester."

"An act to authorise the Halletts Cove turnpike and bridge company to borrow \$25,000 to rebuild its bridge."

"An act relative to the support of the poor in the county of Schenectady."

"An act to improve the old State Hall, for the better organizing the cabinet of natural history, and for the accommodation of the New-York State Agricultural Society and its agricultural museum."

"An act to extend the time for the collection of taxes in the town of Hempstead, in the county of Queens."

"An act for the incorporation of associations for improving the breed of horses."

"An act to amend the Revised Statutes in relation to laying out of a public road, and of the alteration thereof, in the town of Greenbush."

"An act for the improvement of the south branch of the Ausable river, Essex county."

"An act authorising a tax upon the taxable inhabitants of the town of Shawangunk, for the payment of certain costs and expenses incurred by John M. Schoonmaker and Jacob Clearwater, late overseers of the poor of said town, in four several suits in the supreme court while acting as such overseers."

"An act to provide for the extension of the manufacture of coarse salt by solar evaporation."

"An act to amend the charter of the Globe insurance company in the city of Utica."

"An act to authorise any town in the county of Oswego to subscribe to the capital stock of the Oswego and Troy railroad company."

"An act to incorporate the Buffalo Cemetery Association."

"An act to authorise the confinement of persons convicted of certain offences in the county of Dutchess in the penitentiary of the county of Albany, and to prescribe the punishment for certain offences."

"An act for the relief of the Brooklyn Female Academy."

"An act to allow Peter Comstock pay for services rendered in improving the Ausable river."

"An act to incorporate the tract society of the Methodist Episcopal church."

"An act making an appropriation for the purpose of building a bridge across St. Regis river, at the village of Hogansburgh, in the county of Franklin."

"An act for the relief of Thomas Wiltsie"

"An act to close a part of the road of the Ravenswood, Halletts Cove and Williamsburgh turnpike and bridge company, in the county of Kings."

"An act providing for the publication of the results of meteorological observations made under the direction of the Regents of the University from the year 1825 to 1850, inclusive."

"An act authorising the payment of an award to Harry Hall."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act making appropriations for the support of the government for the fiscal year commencing October 1st, 1854."

Mr. Sessions moved the House concur in said amendments, except the amendment striking out the appropriation for the Home of the Friendless in Syracuse, and with the following proviso to the appropriations for building the Idiot Asylum:

"Provided, that the whole expense of said buildings and grounds shall not exceed the amount stated in the report of said trustees."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 03 }

Those who voted in the affirmative are,

Aitken	Cost	Holdridge	Mills	Speaker
Bailey	Crocheron	Howell	G. Miller	Stephens
Baker	Cumming	Hoyle	S. F. Miller	Sterling

Backus	Onashman	Hull	Mitchell	Underwood
R. J. Baldwin	Dawson	Mat. Hutchinson	Morris	Ward
S. Baldwin	Dewey	Jenkins	Nelson	Wart
Barrow	A. A. Dunlop	Joy	Noble	Weed
Barton	R. Dunlap	Kinney	Odell	Whipple
Bennett	Edwards	Leigh	Palmer	White
Bergen	Fiero	Littlefield	Peters	Whitman
Boardman	Freeman	Littlejohn	Randall	Wilson
Boyd	Germain	Lozier	Rowland	Wilder
Brust	Gleason	Maguire	Savage	D. Willis
Burgess	Gorham	Mallory	Searing	J. E. Willis
Case	Gott	Mather	Sessions	Williams
Chesebro	Harpur	May	Seeley	D. P. Wood
Cook	Harris	McGraw	Sharp	J. S. Wood
Collins	Hatch	McMurray	Sill	W. H. Wood
Conkling				

81

Those who voted in the negative are,

Benedict Clinton Lee

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in said amendments, except the amendment striking out the appropriation for the Home of the Friendless in Syracuse, and with a proviso in relation to the Idiot Asylum.

Mr. Hull asked leave of absence for this afternoon.

Mr. Speaker put the question whether the House would agree to grant such leave to Mr. Hull, and it was determined in the negative.

The Senate bill entitled "An act in relation to turnpike roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 03 }

Those who voted in the affirmative are,

Aitken	Cumming	Hoyle	McMurray	Smalley
Bailey	Cushman	Hull	G. Miller	Speaker
Baker	A. A. Dunlop	Mat. Hutchinson	Mitchell	Stephens
Backus	R. Dunlap	Mos. Hutchinson	Morris	Sterling
S. Baldwin	Fiero	Jenkins	Noble	Suffern
Barton	Freeman	Joy	Odell	Thorn
Beers	Germain	Kinney	Peters	Ward
Benedict	Gott	Legg	Preston	Weed
Bennett	Hall	Leigh	Rowland	White
Bergen	Harpur	Littlefield	Scott	Whitman
Boardman	Harris	Lozier	Sessions	Wilson
Brust	Hinkley	Maguire	Seeley	Wilder
Burgess	Holdridge	Mallory	Sharp	D. P. Wood
Case	Hollenbeck	May	Shelley	J. S. Wood
Cook	Howell	McGraw	Sill	W. H. Wood
Conkling				

76

Those who voted in the negative are,

Chesebro Collins Crocheron

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

At half-past one o'clock p. m., Mr. Speaker announced that the House would take a recess.

HALF-PAST THREE O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. G. Miller asked and obtained leave to introduce a bill entitled "An act for the relief of Grave T. Tuthill," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. G. Miller, and by unanimous consent,

Ordered, That said bill be read a third time.

The bill entitled "An act to incorporate the village of Lyons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hatch	McMurray	Sterling
Altken	Collins	Hinkley	S. F. Miller	Suffers
Bailey	Conkling	Holdridge	Mitchell	Thompson
Baker	Crocheron	Howell	Morris	Thorn
Backus	Cumming	Hoyle	Nelson	Ward
R. J. Baldwin	Cushman	Hull	Noble	Wart
S. Baldwin	Dawson	Mat. Hutchinson	Payne	Weed
Barrow	A. A. Dunlap	Mos. Hutchisson	Peters	Whipple
Barton	R. Dunlap	Joy	Richards	White
Beers	Edwards	Kinney	Rose	Whitman
Benedict	Ferguson	Lee	Rowland	Wilson
Bennett	Fiero	Leigh	Savage	Wilder
Bergen	Freeman	Littlefield	Scott	D. Willis
Boardman	Gleason	Littlejohn	Semmes	J. E. Willis
Boyd	Gott	Lozier	Seeley	Williams
Brust	Graham	Maguire	Sharp	Winne
Cass	Harpur	Mallory	Speaker	D. P. Wood
Chesebro	Harris	May	Stephens	W. H. Wood
Clinston				

91

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorise others than overseers of the poor to prosecute for violation of the excise law," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 65 }
{ NOES 20 }

Those who voted in the affirmative are,

Angle	Case	Hinkley	Mallory	SHI
Bailey	Chesebro	Holdridge	May	Speaker
Baker	Cook	Howell	G. Miller	Sterling
Backus	Conkling	Hoyle	S. F. Miller	Suffern
R. J. Baldwin	Crocheron	Hull	Mitchell	Underwood
S. Baldwin	Cumming	Mat. Hutchinson	Nelson	Weed
Barrow	Cushman	Mos. Hutchinson	Noble	Wilson
Barton	Edwards	Joy	Odell	Wilder
Beers	Fiero	Kinney	Peters	D. Willis
Benedict	Freeman	Leigh	Randall	J. E. Willis
Bennett	Gleason	Littlefield	Rowland	Williams
Boardman	Harpur	Littlejohn	Scott	Winne
Boyd	Harris	Lozier	Searing	W. H. Wood 65

Those who voted in the negative are,

Aitken	Dawson	Lee	Savage	Wart
Burgess	A. A. Dunlop	Maguire	Seeley	Whipple
Clinton	R. Dunlap	Morris	Stephens	White
Collins	Ferguson	Richards	Ward	Whitman 20

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act for the improvement of the Saranac river and lakes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Holdridge	McMurray	Sterling
Aitken	Cook	Howell	Mills	Suffern
Bailey	Conkling	Hoyle	G. Miller	Thorn
Baker	Crocheron	Hull	L. Miller	Ward
Backus	Cushman	Mat. Hutchinson	Mitchell	Wart
R. J. Baldwin	Dewey	Mos. Hutchinson	Morris	Weed
S. Baldwin	A. A. Dunlop	Kinney	Noble	Whipple
Barrow	Edwards	Lee	Odell	White
Beers	Ferguson	Legg	Peters	Whitman
Benedict	Fiero	Leigh	Randall	Wilson
Bennett	Freeman	Littlefield	Savage	Wilder
Bergen	Gleason	Littlejohn	Seeley	D. Willis
Boardman	Gott	Lozier	Sill	J. E. Willis

Burgess	Harris	Maguire	Smalley	Winne
Case	Hatch	Mallory	Speaker	D. P. Wood
Chesebro	Hinkley	May	Stephens	W. H. Wood 80

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to appoint commissioners to locate a second New-York State Lunatic Asylum," coming up for its third reading,

Mr. Lozier moved to recommit said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative.

The Senate bill entitled "An act to amend an act entitled 'An act in relation to jurors in the city of New-York,' passed Dec. 15, 1847," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Hinkley	Lozier	Sharp
Aitken	Conkling	Holdridge	Maguire	Sill
Bailey	Crocherson	Howell	McMurray	Stephens
Baker	Cushman	Hull	G. Miller	Suffern
Backus	Dawson	Mat. Hutchinson	S. F. Miller	Underwood
R. J. Baldwin	Dewey	Mos. Hutchinson	Mitchell	Ward
S. Baldwin	A. A. Dunlop	Jenkins	Morris	Wart
Barrow	R. Dunlap	Kinney	Noble	Wilson
Beers	Ferguson	Lee	Richards	Wilder
Benedict	Fiero	Legg	Rowland	D. Willis
Bennett	Germain	Leigh	Scott	Winne
Burgess	Graham	Littlefield	Searing	J. S. Wood
Case	Harpur	Littlejohn	Seeley	W. H. Wood 86
Chesebro				

For the negative,

Whipple

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to widen Fulton and Joralemon streets, between Red Hook lane and Court street, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	Maguire	Stephens
Aitken	Cook	Harpur	May	Sterling
Bailey	Collins	Harris	Mitchell	Thompson
Baker	Conkling	Hatch	Morris	Underwood
Beckus	Crocheron	Hinkley	Nelson	Ware
R. J. Baldwin	Cumming	Hoyle	Noble	Wart
S. Baldwin	Cushman	Hull	Odell	Weed
Barrow	Dawson	Mat. Hutchinson	Palmer	White
Beers	Dewey	Mos Hutchinson	Peters	Wilson
Benedict	A. A. Dunlop	Jenkins	Searing	Wilder
Bennett	R. Dunlap	Kinney	Sessions	D. Willis
Bergen	Edwards	Lee	Seeley	J. E. Willis
Boardman	Ferguson	Leigh	Sharp	Williams
Boatwick	Fiero	Littlefield	Still	Winne
Boyd	Germain	Littlejohn	Smalley	D. P. Wood
Burnett	Gleason	Lozier	Speaker	W. H. Wood
Case	Gott			

82

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same with amendments.

The Senate bill entitled "An act to authorise the appraisal and payment of canal damages of G. & J. W. Cadwell," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Clinton	Hinkley	McMurray	Stephens
Aitken	Cook	Holdridge	Mills	Sterling
Bailey	Collins	Howell	G. Miller	Thompson
Baker	Cumming	Hoyle	Mitchell	Ward
S. Baldwin	Cushman	Mat. Hutchinson	Morris	Wart
Barrow	Dewey	Mos. Hutchinson	Noble	Weed
Barton	A. A. Dunlop	Jenkins	Odell	Whipple
Beers	R. Dunlap	Kinney	Palmer	White
Benedict	Edwards	Lee	Peters	Whitman
Bennett	Ferguson	Legg	Preston	Wilson
Bergen	Fiero	Leigh	Randall	Wilder
Boardman	Gleason	Littlefield	Sessions	D. Willis
Boyd	Gott	Lozier	Seeley	Winne
Burgess	Graham	Maguire	Still	D. P. Wood
Case	Harpur	Mallory	Smalley	J. S. Wood
Chesebro	Harris	May	Speaker	W. H. Wood

80

Those who voted in the negative are,

Freeman Suffern

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to incorporate a fire company in the village of Port Richmond," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative, are,

Angle	Cass	Hatch	G. Miller	Suffern
Aitken	Chesebro	Hinkley	Mitchell	Thorn
Bailey	Clinton	Holdridge	Morris	Townsend
Baker	Cook	Hull	Odell	Ward
Backus	Collins	Mat. Hutchinson	Payne	Wart
R. J. Baldwin	Crocheron	Jenkins	Peters	Weed
S. Baldwin	Cumming	Joy	Robertson	Whipple
Barrow	Cushman	Lee	Rowland	White
Barton	Dawson	Legg	Scott	Whitman
Beers	Dewey	Leigh	Searing	Wilson
Benedict	A. A. Dunlop	Littlefield	Sessions	D. Willis
Bennett	R. Dunlap	Littlejohn	Seeley	J. E. Willis
Bergen	Edwards	Lozier	Sharp	Williams
Boardman	Fiero	Maguire	Sill	Winne
Boyd	Gott	Mallory	Smalley	D. P. Wood
Brust	Harpur	May	Stephens	W. H. Wood
Burgess	Harris	Mills	Sterling	

84

For the negative,

Ferguson

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed said bill without amendment.

The Senate bill entitled "An act to authorise a more speedy trial and termination of a certain suit pending against the people of this State, and others," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 05 }

Those who voted in the affirmative are,

Angle	Cook	Harpur	McMurray	Sterling
Bailey	Collins	Harris	G. Miller	Suffern
Backus	Conkling	Howell	Mitchell	Thorn
R. J. Baldwin	Crocheron	Hoyle	Nelson	Townsend
S. Baldwin	Cumming	Hull	Noble	Ward

Barrow	Cushman	Mos. Hutchinson	Odell	Wart
Baucus	Dewey	Jenkins	Rowland	Weed
Beers	A. A. Dunlop	Joy	Savage	Wilson
Benedict	R. Dunlap	Kinney	Scott	Wilder
Bennett	Edwards	Lee	Sharp	D. Willis
Boardman	Ferguson	Littlefield	Sill	J. E. Willis
Burgess	Freeman	Littlejohn	Speaker	Winne
Case	Germain	Lozier	Stephens	W. H. Wood
Clinton	Graham	May		

68

Those who voted in the negative are,

Mills	Seeley	Whipple	White	Whitman	5
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to facilitate the construction of the Utica and Binghamton railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 73 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Clinton	Graham	Mills	Sterling
Aitken	Cook	Harpur	G. Miller	Suffern
Bailey	Crocheton	Harris	Mitchell	Thorn
Baker	Cumming	Hatch	Morris	Underwood
Backus	Cushman	Hoyle	Noble	Ward
R. J. Baldwin	Dewey	Mat. Hutchinson	Odell	Wart
S. Baldwin	A. A. Dunlop	Jenkins	Peters	Weed
Barrow	R. Dunlap	Joy	Richards	Wilson
Barton	Edwards	Kinney	Savage	Wilder
Beers	Ferguson	Leigh	Scott	D. Willis
Benedict	Fiero	Littlefield	Seeley	J. E. Willis
Bennett	Freeman	Littlejohn	Sill	Winne
Boardman	Germain	Maguire	Speaker	D. P. Wood
Brust	Gleason	May	Stephens	W. H. Wood
Case	Gott	McMurray		

73

Those who voted in the negative are,

Conkling	Lozier	Whipple	White	Whitman	6
Howell					

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relative to the New-York Baptist Union for ministerial education," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Burgess	Gibbs	G. Miller	Speaker
Atken	Case	Gleason	Mitchell	Stephens
Bailey	Chesebro	Harpur	Morris	Sterling
Baker	Clinton	Harris	Nelson	Thorn
Backus	Cook	Howell	Noble	Ward
R. J. Baldwin	Crocheron	Hoyle	Odell	Wart
S. Baldwin	Cumming	Kinney	Palmer	Weed
Barrow	Dewey	Lee	Peters	White
Barton	A. A. Dunlop	Littlefield	Rowland	Whitman
Beers	R. Dunlap	Lozier	Scott	Wilson
Benedict	Ferguson	Maguire	Searing	D. Willis
Bennett	Fiero	May	Seeley	J. E. Willis
Boardman	Freeman	McMurray	Sharp	Williams
Boyd	Germain	Mills	Sill	W. H. Wood 70

Those who voted in the negative are,

Collins Graham Joy

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act authorising Freeman Campbell to erect a dam in the Chemung river,' passed July 21, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Bailey	Clinton	Graham	McMurray	Sterling
Baker	Conkling	Harpur	G. Miller	Thorn
Backus	Crocheron	Harris	Mitchell	Ward
R. J. Baldwin	Cumming	Hinkley	Nelson	Wart
S. Baldwin	Cushman	Howell	Palmer	Weed
Barrow	Dawson	Hoyle	Peters	Whipple
Barton	Dewey	Mat. Hutchinson	Richards	White
Beers	A. A. Dunlop	Kinney	Rowland	Whitman
Benedict	R. Dunlap	Lee	Savage	Wilson
Bennett	Edwards	Leigh	Scott	Wilder
Bergen	Ferguson	Littlefield	Searing	D. Willis
Boardman	Fiero	Littlejohn	Seeley	J. E. Willis
Boyd	Freeman	Lozier	Sharp	Winne
Brunt	Germain	Maguire	Sill	D. P. Wood
Burgess	Gleason	Nathory	Speaker	J. S. Wood
Case	Gott	May	Stephens	W. H. Wood 80

Ordered, That the clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Searing called up for the consideration of the House, the joint resolution of the Senate, instructing the Attorney General to commence an action against George W. Newell, for moneys of this State advanced to canal superintendents without law.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 11 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Angle	Cheesebro	Gleason	G. Miller	Speaker
Altken	Ointon	Graham	Mitchell	Stephens
Bailey	Cook	Harpur	Morris	Suffern
Baker	Conkling	Hatch	Nelson	Thora
Backus	Crocheron	Mat. Hutchinson	Noble	Underwood
E. J. Baldwin	Cumming	Mos. Hutchinson	Odell	Ward
S. Baldwin	Cushman	Jenkins	Palmer	Weed
Barrow	Dewey	Kinney	Peters	Whipple
Barton	A. A. Dunlop	Lee	Savage	Wilson
Beers	R. Dunlap	Littlefield	Scott	D. Willis
Benedict	Edwards	Lozier	Searing	J. E. Willis
Bennett	Fiero	Maguire	Sharp	Winne
Boardman	Freeman	May	Sill	W. H. Wood
Case	Germain	McGraw		

68

Those who voted in the negative are,

Burgess	Hinkley	S. F. Miller	Sterling	Wilder
Collins	Leigh	Seeley	Wart	Williams
Ferguson				

11

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the same.

Mr. Morris moved a reconsideration of the vote taken to-day upon the resolution relating to the appointment of a committee to investigate the truth of certain charges against Columbia College.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Morris, and it was determined in the negative.

On motion of Mr. D. P. Wood, and by unanimous consent,

Resolved, That 1,000 copies of the annual report of the State Engineer and Surveyor, on the railroads of this State, be printed for W. J. McAlpine, late State Engineer and Surveyor.

On motion of Mr. D. P. Wood, and by unanimous consent,

Resolved, (if the Senate concur,) That W. L. Crandall is hereby authorised to take out copyright of his report on the Public School Policy of New-York, made to the Legislature in April, 1853, said copyright to be in the name of the said Crandall, and for his own benefit.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Peters,
At fifteen minutes to six o'clock p. m., the House took a recess until half-past seven o'clock.

HALF-PAST SEVEN O'CLOCK, P. M.

The House again met.

The Senate bill entitled "An act in relation to the temporary relief of the poor in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 01 }

Those who voted in the affirmative are,

Bailey	Collins	Hinkley	Morris	Suffern
Baker	Conkling	Hoyle	Nelson	Underwood
Backus	Crocheron	Jenkins	Noble	Ward
R. J. Baldwin	Cumming	Kinney	Palmer	Wart
S. Baldwin	Cushman	Lee	Peters	Weed
Barrow	A. A. Dunlop	Leigh	Randall	Whipple
Barton	R. Dunlap	Littlefield	Rowland	White
Beers	Ferguson	Littlejohn	Savage	Whitman
Benedict	Fiero	Lozier	Scott	Wilson
Bennett	Freeman	Maguire	Searing	Wilder
Boardman	Germain	Mallory	Sessions	D. Willis
Burgess	Gleason	McMurray	Seeley	J. E. Willis
Case	Graham	G. Miller	Sharp	Williams
Chesebro	Harpur	L. Miller	Sill	D. P. Wood
Clinton	Harris	S. F. Miller	Speaker	W. H. Wood
Cook	Hatch	Mitchell	Stephens	

79

For the negative,

Richards

4

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act for the relief of Isaac T. Tuthill," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Clinton	Hatch	McGraw	Stephens
Aitken	Cook	Hinkley	G. Miller	Sterling
Bailey	Collins	Holdridge	S. F. Miller	Suffern
Baker	Conkling	Howell	Mitchell	Underwood
Backus	Cumming	Hoyle	Morris	Ward
R. J. Baldwin	Cushman	Hull	Nelson	Wart
S. Baldwin	A. A. Dunlop	Mat. Hutchinson	Noble	Weed
Barrow	R. Dunlap	Mos. Hutchinson	Palmer	Whipple
Barton	Edwards	Jenkins	Peters	White
Beers	Ferguson	Joy	Randall	Whitman
Benedict	Fiero	Kinney	Rowland	Wilson
Bennett	Freeman	Lee	Savage	Wilder
Bergen	Germana	Legg	Scott	D. Willis
Boardman	Gleason	Littlefield	Searing	J. E. Willis
Boyd	Gott	Littlejohn	Seasons	D. P. Wood
Burgess	Graham	Lozier	Seeley	J. S. Wood
Case	Harpur	Maguire	Sill	W. H. Wood
Chesebro	Harris	Mallory	Speaker	89

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorising the laying out and opening and working of a public highway in the village of Canandaigua," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Chesebro	Gleason	Mallory	Speaker
Aitken	Clinton	Gott	May	Stephens
Bailey	Cook	Graham	McGraw	Ward
Baker	Collins	Harpur	Mills	Wart
Backus	Conkling	Harris	Mitchell	Weed
R. J. Baldwin	Crocheron	Hatch	Morris	Whitman
S. Baldwin	Cumming	Hinkley	Noble	Wilson
Barrow	Dewey	Hoyle	Odell	Wilder
Barton	A. A. Dunlop	Kinney	Palmer	D. Willis
Beers	R. Dunlap	Lee	Peters	J. E. Willis
Benedict	Ferguson	Leigh	Savage	Williams
Bennett	Fiero	Littlejohn	Scott	Winne
Boyd	Freeman	Lozier	Searing	D. P. Wood
Burgess	German	Maguire	Sill	J. S. Wood
Case				71

Those who voted in the negative are,

Boardman	Mat. Hutchinson	Joy	Sterling	Suffern
Howell				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act for the appraisal and payment of canal damages to Thomas Countryman," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cunkling	Howell	Mitchell	Speaker
Aitken	Cumming	Hoyle	Morris	Stephens
Bailey	Cushman	Mat. Hutchinson	Nelson	Sterling
Baker	Dewey	Joy	Noble	Suffern
Backus	A. A. Dunlop	Kinney	Palmer	Ward
S. Baldwin	R. Dunlap	Lee	Peters	Wart
Barrow	Edwards	Leigh	Randall	Weed
Benedict	Ferguson	Littlefield	Richards	Whipple
Bennett	Fiero	Lozier	Rowland	White
Boardman	Germain	Maguire	Scott	Wilson
Burgess	Gleason	Mallory	Searing	Wilder
Case	Gott	May	Sessions	D. Willis
Chesbro	Hall	McGraw	Sealey	Williams
Clinton	Harpur	McMurray	Sheeley	D. P. Wood
Cook	Harris	G. Miller	Sill	J. S. Wood
O Collins	Hinkley	S. F. Miller		

78

Those who voted in the negative are,

R. J. Baldwin Crocheron

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to incorporate the sixpenny savings bank of the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Crocheron	Mat. Hutchinson	Mitchell	Suffern
Aitken	Cumming	Mos. Hutchinson	Morris	Thompson
Bailey	Cushman	Jenkins	Nelson	Underwood
Baker	Dewey	Joy	Noble	Ward
Backus	A. A. Dunlop	Kinney	Palmer	Wart
R. J. Baldwin	R. Dunlap	Lee	Peters	Weed
S. Baldwin	Edwards	Legg	Rowland	Whipple
Barrow	Ferguson	Leigh	Savage	White
Beers	Fiero	Littlefield	Scott	Wilder
Benedict	Freeman	Littlejohn	Searing	D. Willis
Bennett	Germain	Lozier	Sessions	J. E. Willis
Burgess	Gleason	Maguire	Sill	Williams
Boardman	Gott	Mallory	Smalley	Winn

Burgess	Harper	May	Speaker	D. P. Wood
Clinton	Harris	McGraw	Stephens	J. S. Wood
Cook	Hinkley	McMurray	Sterling	W. H. Wood
Conkling	Hoyle	S. F. Miller		

83

Those who voted in the negative are,

Seeley Whitman

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The bill entitled "An act to provide for the letting of certain canal repairs by contract," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cook	Harris	McGraw	Sm
Aitken	Collins	Hinkley	McMurray	Speaker
Bailey	Conkling	Hoyle	S. F. Miller	Stephens
Baker	Crocheton	Hull	Mitchell	Suffern
Beckus	Cumming	Mat. Hutchinson	Morris	Underwood
R. J. Baldwin	Cushman	Mos. Hutchinson	Nelson	Ward
S. Baldwin	Dewey	Jenkins	Noble	Wart
Barrow	A. A. Dunlop	Kinney	Palmer	Weed
Beers	R. Dunlap	Lee	Peters	Wilson
Benedict	Ferguson	Leigh	Richards	Wilder
Bennett	Fiero	Littlefield	Rowland	D. Willis
Boardman	Freeman	Littlejohn	Savage	J. E. Willis
Brust	German	Lozier	Scott	Winne
Burgess	Gleason	Maguire	Searing	D. P. Wood
Case	Graham	Mallory	Sessions	W. H. Wood
Clinton	Harper	May		

78

Those who voted in the negative are,

Seeley Williams

2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act appropriating money to Geneva College," coming up for its third reading,

Mr. Peters moved to recommit said bill with instructions to strike out the first section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the As-

sethly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 75 }
{ NOES 15 }

Those who voted in the affirmative are,

Angle	Collins	Harpur	Maguire	Savage
Aitken	Conkling	Hatch	Mallory	Scott
Bailey	Cumming	Hinkley	Martin	Searing
Baker	Cushman	Holdridge	May	Seely
Backus	Dowey	Howell	McGraw	Speaker
R. J. Baldwin	A. A. Dunlop	Hoyle	McMurray	Stephens
S. Baldwin	R. Dunlap	Hull	G. Miller	Underwood
Barton	Edwards	Mos. Hutchinson	Mitchell	Ward
Beers	Ferguson	Jenkins	Nelson	Wilson
Benedict	Fiero	Kinney	Noble	Wilder
Boardman	Freeman	Kirkland	Odell	J. E. Willis
Boyd	Germain	Leigh	Palmer	Williams
Brust	Gleason	Littlefield	Randall	Winne
Clinton	Gott	Littlejohn	Richards	J. S. Wood
Cook	Graham	Lozier	Rowland	W. H. Wood 75

Those who voted in the negative are,

Bennett	Crocheron	Mills	Sterling	Weed
Burgess	Mat. Hutchinson	Peters	Suffern	White
Case	Lee	Sill	Wart	Whitman 15

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to authorize a part of the records and filed deeds of the counties of Cayuga, Tonawanda and Herkimer, to be transcribed and deposited in the clerk's office of the county of Seneca," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 71 }
{ NOES 96 }

Those who voted in the affirmative are,

Angle	Conkling	Harpur	May	Senators
Aitken	Crocheron	Harris	McMurray	Speaker
Bailey	Cumming	Hatch	G. Miller	Stephens
Backus	Cushman	Hinkley	S. F. Miller	Ward
Barrow	Dewey	Hoyle	Mitchell	Wart
Barton	A. A. Dunlop	Mat. Hutchinson	Nelson	Weed
Benedict	R. Dunlap	Jenkins	Noble	White
Bennett	Ferguson	Kinney	Odell	Whitman
Bergen	Fiero	Lee	Palmer	Wilson
Boardman	Freeman	Leigh	Peters	D. Willis
Burgess	Germain	Littlefield	Richards	J. E. Willis
Case	Gleason	Lozier	Rowland	Williams

Chesbrough	Gott	Magnire	Savage	D. P. Wood
Clinton	Graham	Mallory	Scott	J. S. Wood
Cook				

71

Those who voted in the negative are,

Collins	Seeley	Sterling	Suffern	W. H. Wood
McC. Hutchinson				

6

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to raise \$40,000 additional to complete the south wing of the work house on Blackwells Island," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	McMurray	Sterling
Attkin	Conkling	Hoyle	G. Miller	Suffern
Bailey	Orocheron	Hull	Mitchell	Underwood
Baker	Cumming	Mat. Hutchinson	Morris	Ward
Backus	Cushman	Jenkins	Nelson	Wart
S. Baldwin	Dewey	Joy	Odell	Weed
Barrow	R. Dunlap	Kirkland	Palmer	Whipple
Barton	Edwards	Lee	Peters	White
Beers	Ferguson	Legg	Randall	Whitman
Benedict	Fiero	Leigh	Rowland	Wilson
Bennett	Freeman	Littlefield	Scott	Wilder
Boardman	Gormain	Littlejohn	Searing	D. Willis
Boyd	Gleason	Lozier	Sessions	J. E. Willis
Brust	Graham	Magnire	Seeley	D. P. Wood
Burgess	Harpur	Mallory	Sill	J. S. Wood
Cass	Harris	May	Speaker	W. H. Wood
Chesbrough	Hinkley			

82

Those who voted in the negative are,

Collins	Mills
---------	-------

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act to authorise the sale of real estate in certain cases to pay assessments, and for other purposes,' passed May 26, 1841," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Clinton	Harpur	Mills	SM
Aiken	Cook	Harris	G. Miller	Speaker
Bailey	Conkling	Hinkley	Mitchell	Stephens
Baker	Crocheron	Holdridge	Morris	Underwood
Backus	Cumming	Hoyle	Nelson	Ward
S. Baldwin	Cushman	Mat. Hutchinson	Odell	Wart
Barrow	Dewey	Mos. Hutchinson	Palmer	Weed
Barton	R. Dunlap	Jenkins	Peters	Wilson
Beers	Edwards	Joy	Randall	Wilder
Benedict	Ferguson	Kinney	Richards	D. Willis
Bennett	Fiero	Littlejohn	Rowland	J. E. Willis
Bergen	Freeman	Maguire	Savage	D. P. Wood
Boyd	Germania	Mallory	Scott	J. S. Wood
Cass	Gleason	May	Searing	W. H. Wood
Chesebro	Graham	McGraw	Sessions	

74

Those who voted in the negative are,

Seeley Sterling Whipple

8

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act in relation to the village of Canandaigua, and enlarging the power and duties of the trustees of said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 06 }

Those who voted in the affirmative are,

Angle	Cook	Holdridge	S. F. Miller	Stephens
Bailey	Collins	Howell	Mitchell	Sterling
Baker	Crocheron	Hoyle	Morris	Underwood
Backus	Cumming	Mat. Hutchinson	Noble	Ward
S. Baldwin	Cushman	Mos. Hutchinson	Odell	Wart
Barrow	Dewey	Joy	Palmer	Weed
Barton	R. Dunlap	Kinney	Peters	Whipple
Beers	Edwards	Lee	Randall	Whitman
Benedict	Ferguson	Littlefield	Rowland	Wilson
Bennett	Freeman	Littlejohn	Savage	Wilder
Boardman	Germania	Losier	Scott	D. Willis
Boyd	Gleason	Mallory	Searing	J. E. Willis
Brust	Graham	May	Sessions	Williams
Cass	Harpur	McGraw	Sill	D. P. Wood
Chesebro	Harris	McMurray	Speaker	J. S. Wood
Clinton	Hinkley	G. Miller		

78

Those who voted in the negative are,

Aiken Fiero Mills Seeley Suffern

6

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled 'An act to change the name of Campbell Pinkney White to Campbell White Pinkney,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Case	Harpur	G. Miller	Sill
Aitken	Chesebro	Harris	S. F. Miller	Smalley
Bailey	Clinton	Hinkley	Mitchell	Speaker
Baker	Cook	Hoyle	Morris	Suffern
Backus	Conkling	Mat. Hutchinson	Noble	Ward
R. J. Baldwin	Crocherson	Mos. Hutchinson	Odell	Wart
S. Baldwin	Cumming	Kinney	Peters	Whipple
Barrow	Cushman	Lee	Randall	Wilson
Barton	R. Dunlap	Littlefield	Richards	Wilder
Beers	Edwards	Lozier	Rowland	J. E. White
Benedict	Ferguson	Maguire	Savage	D. P. Wood
Boardman	Fiero	May	Scott	J. S. Wood
Boyd	Freeman	McGraw	Searing	W. H. Wood
Burgess	Gleason	McMurray		

68

Those who voted in the negative are,

Sealey Sterling

2

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to provide for the education of children of the Tuscarora Indians, in the county of Niagara," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 01 }

Those who voted in the affirmative are,

Angle	Cook	Harris	Mitchell	Stephens
Aitken	Collins	Hatch	Morris	Stirling
Bailey	Conkling	Hinkley	Nelson	Suffern
Baker	Crocherson	Hoyle	Noble	Underwood
Backus	Cumming	Mat. Hutchinson	Odell	Ward
S. Baldwin	Cushman	Mos. Hutchinson	Peters	Wart

Barrow	Dewey	Jenkins	Proctor	Wood
Barton	R. Dunlap	Kinney	Richards	Whipple
Beers	Edwards	Lee	Rowland	Wilson
Benedict	Ferguson	Littlefield	Savage	Wilder
Bennett	Fiero	Littlejohn	Scott	D. Willis
Boardman	Freeman	Lozier	Searing	J. E. Willis
Burgess	Germain	May	Sessions	D. P. Wood
Case	Gleason	McGraw	Sill	J. S. Wood
Chesebro	Graham	McMurray	Speaker	W. H. Wood
Clinton	Harpur			

77

For the negative,

Seeley

1

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to defray certain expenses of government."

Mr. Aitken moved that the House do now concur in said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Aitken, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 26 }
{ NOES 41 }

Those who voted in the affirmative are,

Aitken	Conkling	Mrs. Hutchinson	Mitchell	Suffern
E. J. Baldwin	R. Dunlap	Lee	Peters	Whipple
S. Baldwin	Harpur	Maguire	Rowland	White
Boyd	Hoyle	May	Sessions	Whitman
Burgess	Mat. Hutchinson	S. F. Miller	Stenting	Wilder
Case				

28

Those who voted in the negative are,

Angle	Dewey	Hatch	Odell	Sim
Bailey	Edwards	Kinney	Palmer	Speaker
Baker	Ferguson	Littlefield	Randall	Stephens
Barrow	Fiero	Lozier	Richards	Underwood
Benedict	Germain	McGraw	Scott	Ward
Boardman	Gleason	Mills	Searing	Wood
Chesebro	Graham	Morris	Seeley	J. E. Willis
Cook	Harris	Nelson	Sharp	W. H. Wood
Cumming				

41

On motion of Mr. Sessions,

A committee was appointed on the part of the House to confer with a committee on the part of the Senate, upon the matter of difference subsisting between the two houses in relation to the foregoing bill.

Mr. Speaker announced as such committee Messrs. Sessions, S. F. Miller, Savage, Lester and Searing.

The Senate bill entitled "An act to authorize a part of the records of the counties of Cayuga, Ontario and Seneca to be transcribed and deposited in the clerk's office of the county of Wayne," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 76 }
{ NOES 03 }

Those who voted in the affirmative are,

Angle	Cooking	Hoyle	Mills	Underwood
Altken	Crocheron	Mat. Hutchinson	G. Miller	Ward
Bailey	Cumming	Mos. Hutchinson	S. F. Miller	Wart
Baker	Cushman	Jenkins	Mitchell	Weed
Backus	Dewey	Joy	Odell	Whipple
R. J. Baldwin	R. Dunlap	Kimney	Palmer	White
Barton	Ferguson	Legg	Peters	Whitman
Beers	Fiero	Littlefield	Randall	Wilson
Benedict	Freeman	Littlejohn	Rowland	Wilder
Bennett	Gerritsen	Loder	Scott	J. E. White
Bergen	Graham	Magnire	Sessions	Williams
Boardman	Harpur	Mallory	Seeley	Winne
Burgess	Harris	May	Sill	D. P. Wood
Case	Hatch	McGraw	Stephens	J. S. Wood
Cook	Hinkley	McMurray	Sumner	W. H. Wood
Collins				

76

Those who voted in the negative are,

Cheesebrough Morris Sterling

3

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed said bill without amendment.

The Senate bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers' dwellings within this State, and relinquishing title to Little Island, in the Hudson river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Cook	Hatch	Mitchell	Sterling
Altken	Collins	Hinkley	Morris	Sumner
Bailey	Cooking	Mat. Hutchinson	Nelson	Underwood
Baker	Crocheron	Mos. Hutchinson	Palmer	Ward

Beckus	Cunningham	Jankins	Peters	Wart
E. J. Baldwin	Dewey	Joy	Randall	Weed
B. Baldwin	R. Dunlap	Kinney	Rowland	Whipple
Barrow	Edwards	Littlefield	Scott	White
Barton	Ferguson	Littlejohn	Searing	Wilson
Beers	Fiero	Lozier	Sessions	Wilder
Bennett	Froemsa	Maguire	Seeley	J. E. Willis
Boardman	Germain	May	Sharp	Williams
Burgess	Gleason	McGraw	Sill	D. P. Wood
Case	Graham	McMurray	Speaker	J. S. Wood
Chesbrough	Harpur	G. Miller	Stephens	W. H. Wood
Clinton	Harris			

77

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendments.

A resolution from the Senate was received and read, in the words following, to wit:

Resolved, That the Senate consent to a committee of conference, and that Mr. Whitney, Mr. Z. Clark and Mr. Field be of such committee on the part of the Senate.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the amendments of the Senate, to the bill entitled as follows:

"An act making appropriations for the support of the Government for the fiscal year commencing October 1st, 1854."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act authorising the appraisal and payment of the damages of John Flynn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 68 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Cook	Mat. Hutchinson	Odell	Suffern
Bailey	Collins	Joy	Palmer	Ward
Baker	Cunningham	Kinney	Peters	Wart
B. J. Baldwin	Cushman	Legg	Randall	Weed
Barrow	Dewey	Littlejohn	Richards	Whipple
Beers	R. Dunlap	Lozier	Rowland	White
Benedict	Ferguson	Maguire	Scott	Wilson
Bennett	Fiero	May	Sessions	Wilder
Bergen	Germain	McGraw	Seeley	D. Willis
Boardman	Gleason	McMurray	Sharp	J. E. Willis
Boyd	Graham	S. F. Miller	Sill	Williams
Burgess	Harpur	Mitchell	Speaker	D. P. Wood
Chesbrough	Harris	Morris	Stephens	W. H. Wood
Clinton	Hinkley	Nelson		

68

Those who voted in the negative are,

Conkling	Freeman	Hoyle	Jenkins	Sterling
Crocheron	Hatch	Mos. Hutchinson	Mills	J. S. Wood
Edwards	Holdridge			

19

Ordered, That the clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The Senate bill entitled "An act to amend an act entitled 'An act vesting certain powers and privileges in the freeholders and inhabitants of the village of Castleton, passed April 13, 1827, and the acts amending the same,' passed May 25, 1836," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

Angle	Case	Harris	G. Miller	Suffern
Aitken	Clinton	Hatch	S. F. Miller	Underwood
Bailey	Cook	Hinkley	Mitchell	Ward
Baker	Collins	Hoyle	Morris	Wart
Backus	Conkling	Mat. Hutchinson	Nelson	Weed
E. J. Baldwin	Cumming	Mos. Hutchinson	Odell	Whipple
Barrow	Dewey	Jenkins	Palmer	White
Barton	R. Dunlap	Joy	Randall	Whitman
Beers	Edwards	Kinney	Richards	Wilson
Benedict	Ferguson	Lee	Scott	Wilder
Bennett	Fiero	Littlefield	Seeley	D. Willis
Bergen	Freeman	Maguire	Sharp	J. E. Willis
Boardman	Germain	May	Sill	Winne
Boyd	Gleason	McGraw	Speaker	D. P. Wood
Brust	Graham	McMurray	Stephens	J. S. Wood
Burgess	Harpur	Mills	Sterling	W. H. Wood 80

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the following preamble and resolution :

Whereas, full remuneration for services rendered is required by sound policy as well as moral obligation, and whereas in the opinion of this Legislature no sufficient compensation has been

made to the militia and volunteers of the several States, and especially of the State of New-York, for losses sustained, and perils encountered, and services rendered, in vindicating the rights and maintaining the honor and independence of the United States in the war of 1812; therefore,

Resolved, (if the Assembly concur,) That the Senators in Congress from the State of New-York be instructed, and the Representatives from that State be requested, to propose and advocate an amendment to the bounty act passed by Congress 28th September, 1850, so as to give to each officer and soldier, and the widows of such as are deceased, and their heirs at law, one hundred and sixty acres of land in lieu of a less quantity, and also to extend the present pension laws to the officers and soldiers, and the widows of those deceased, of the war of 1812, who died in service, or were honorably discharged therefrom.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to authorise the town of Galen, Rose and Huron to subscribe for stock of the Clyde and Sodus Bay railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Benedict asked and obtained leave to introduce a bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Hoosick Falls,' passed April 14, 1827," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Benedict,

Ordered, That said bill be read a third time.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
 { NOES 01 }

Those who voted in the affirmative, are,

Angle
Aitken

Chesebro
Clinton

Harpur
Harris

McGraw
McMurray

Sill
Speaker

Bailey	Cook	Hatch	Mills	Stephens
Baker	Collins	Hinkley	G. Miller	Suffern
Backus	Conkling	Howell	Mitchell	Underwood
R. J. Baldwin	Crocheron	Mat. Hutchinson	Morris	Ward
Barrow	Cumming	Mos. Hutchinson	Nelson	Wart
Barton	Cushman	Jenkins	Odell	Weed
Beers	A. A. Dunlop	Kinney	Palmer	White
Benedict	R. Dunlap	Kirkland	Peters	Wilson
Bennett	Edwards	Littlefield	Randall	D. Willis
Bergen	Ferguson	Littlejohn	Rowland	J. E. Willis
Boardman	Fiero	Maguire	Scott	D. P. Wood
Boyd	Germain	Mallory	Searing	J. S. Wood
Burgess	Gleason	May	Seeley	W. H. Wood
Case	Graham			

For the negative,

Joy

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. C. C. Leigh,

At five minutes before 12 o'clock midnight, the House adjourned.

MONDAY, APRIL 17, 1854.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of Saturday were read.

Mr. Randall moved to amend the minutes by inserting therein as follows, (such record having been originally contained therein, but stricken out by direction of the Speaker on the ground that the report mentioned was not properly before the House);

"By unanimous consent,

"Mr. Littlejohn, from the committee on canals, to which was referred the Senate bill entitled 'An act authorising the Canal Commissioners, in rebuilding the locks on the Chemung canal and feeder, to rebuild them of the enlarged size,' to report complete, reported the same complete without amendment, which report was agreed to.

"*Ordered*, That said bill be read a third time."

Mr. Lozier moved that said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lozier, and it was determined in the affirmative, as follows:

{ AYES 49 }
{ NOES 38 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Backus	Orocheron	Hatch	G. Miller	Searing
R. J. Baldwin	Cumming	Hoyle	Mitchell	Sessions
Barton	A. A. Dunlop	Mat. Hutchinson	Morris	Sill
Beers	R. Dunlap	Mos. Hutchinson	Odell	Ward
Benedict	Fiero	Jenkins	Palmer	Weed
Bennett	Freeman	Kinney	Peters	Whipple
Boyd	Germain	Lozier	Preston	J. E. Willis
Burgess	Graham	Mallory	Richards	D. P. Wood
Burnett	Harpur	May	Rowland	W. H. Wood
Conkling	Harris	McMurray	Scott	

49

Those who voted in the negative are,

Bailey	Collins	Howell	Randall	Wart
S. Baldwin	Cushman	Joy	Savage	White
Bergen	Dawson	Lee	Seeley	Whitman
Boardman	Edwards	Littlefield	Stephens	Wilson
Brust	Ferguson	Magnire	Sterling	Wilder
Chesebro	Gleason	Mills	Suffern	Williams
Clinton	Hinkley	S. F. Miller	Underwood	J. S. Wood
Cook	Holdridge	Noble		

38

A message from the Senate was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the village of Hoosick Falls,' passed April 14, 1827."

"An act to facilitate the construction of the Utica and Binghamton railroad."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had agreed to the report of the joint committee of conference on the bill entitled "An act to provide for certain expenses of government," said report being in the words following, to wit:

The committee of conference appointed by the Senate and Assembly, at the request of the Assembly, in relation to the matter of disagreement between the two houses upon the act to provide for certain expenses of government, report that they have agreed as follows:

1st. That the clause appropriating \$1,200 to the State Engineer's department for preparing the Engineer and Surveyor's report on the canals for 1853, stricken out by the Senate, be restored with an amendment making the appropriation \$500.

2d. That the clause appropriating \$500 to the commissioners appointed to supervise the expenditures of certain charitable institutions in the 1st Senate district, amended in the Senate and afterwards stricken out, be restored to the bill as amended.

3d. That the clause appropriating \$100 to the steward having charge of Washington's Head Quarters at Newburgh, stricken out by the Senate, be now restored to the bill.

4th. That the clause appropriating additional compensation to the Sergeant-at-Arms and Assistant Sergeant-at-Arms of the Senate, stricken out by the Senate, be restored to the bill.

5th. That the clause appropriating additional compensation to the Postmaster of the Assembly, amended by the Senate, be restored.

6th. That the clause appropriating additional compensation to the Deputy Sergeant-at-Arms of the Assembly, amended by the Senate, be restored.

7th. That the clause appropriating \$100 additional compensation to the Assistant Librarian of the Assembly, stricken out by the Senate, be amended so as to read \$50, and as amended be restored to the bill.

8th. That the clause appropriating \$250 to S. S. Gillett, reporter to the commission to examine into the affairs of Union College, amended by the Senate, be restored as amended.

9th. That the clause appropriating \$500 to W. L. Crandal, for superintending the printing of the report on the public school policy of the State, stricken out by the Senate, be restored to the bill. It was shown to your committee that Mr. Crandall, after having prepared the report at small compensation, was employed by the State in the arduous duty of superintending its publication, a duty which occupied several months of close application, and that the sum hereina appropriated is but a just and proper compensation.

10th. That the clause appropriating \$400 to John Cuyler, for indexing the Legislative Journals, amended by the Senate, be further amended so as to read \$300.

11th. That the several clauses appropriating compensation to the managers on the part of the State in the Mather impeachment case, amended by the Senate, be restored to the form in which they passed the Assembly.

12th. That the clauses providing for room hire for the use of the aforesaid managers, stricken out by the Senate, be restored to the bill.

13th. That the Senate amendment appropriating aid to the compensation of the House of Refuge at New-York, be retained in the bill.

14th. That the clause appropriating \$595.55 to Julia and Henry Hunting, due to them on account of the failure of title to land sold to them by the State, stricken out by the Senate, be restored to the bill.

15th. That the amendment of the Senate appropriating \$150 to Richard W. Murphy, for services rendered as clerk in the Canal Department, be retained in the bill.

16th. That the clause appropriating \$400 to each of the Canal Commissioners for traveling expenses in 1854, stricken out by the Senate, be not restored to the bill.

17th. That the clause appropriating \$150 to the Assistant Librarian of the Senate, for furnishing a catalogue of the Senate library, amended by the Senate, be entirely stricken from the bill.

18th. That the clause appropriating \$100 extra compensation to the Librarian of the Assembly, amended by the Senate so as to read \$50, be retained as amended.

19th. That the clause appropriating \$100 additional compensation to John Davis, Door Keeper of the Assembly, stricken out by the Senate, be restored to the bill.

20th. That the clause introduced by the Senate to provide for the salary of the Deputy Attorney General, and a messenger in his office, be retained in the bill.

21st. That the clause introduced by the Senate appropriating \$30 to Samuel R. Tuell, for preparing statistics of the Senate, be retained in the bill.

22d. That the clause introduced by the Senate providing for the support of Indian schools on the Cattaraugus and Allegany reservation, be retained in the bill.

23d. That the clause introduced by the Senate appropriating \$700 to pay for engineering on the Owascoo outlet, be amended by striking out the words "To John T. Clarke, State Engineer," and as amended retained in the bill.

24th. That the clause introduced in the Senate appropriating \$200 to Wm. McGourkey, clerk in the Canal Department, be amended by striking out "\$200," and inserting "\$100," and as amended retained in the bill.

25th. That the clause introduced by the Senate providing for a pro rata compensation to the officers and messengers of the two houses, for services rendered since the expiration of the one hundred days, be retained in the bill.

26th. That the clause introduced by the Senate, appropriating \$50 to Luther Buxton for preparing statistics of the Assembly, be stricken from the bill.

Respectfully submitted,

CHAS. R. WHITNEY, *Chairman.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 71 }
{ NOES 12 }

Those who voted in the affirmative are,

Angle	Conkling	Hoyle	Morris	Speaker
Aitken	Crocheron	Mat. Hutchinson	Noble	Stephen
Bailey	Dawson	Jenkins	Odell	Sterling
Backus	Dewey	Joy	Palmer	Suffern
R. J. Baldwin	A. A. Dunlop	Kinney	Peters	Underwood
S. Baldwin	R. Dunlap	Leigh	Preston	Ward
Barrow	Edwards	Littlejohn	Richards	Weed
Barton	Freeman	Lozier	Savage	Whipple
Beers	Germain	Maguire	Scott	Whitman
Bennett	Graham	Mallory	Searing	Wilson
Boardman	Harpur	May	Sessions	Wilder
Boyd	Harris	McMurray	Seeley	D. Willis
Chesbro	Hatch	G. Miller	Sharp	J. E. Willis
Cook	Holdridge	S. F. Miller	Sill	W. H. Wood
Collins				

71

Those who voted in the negative are,

Benedict	Cumming	Howell	Mitchell	Rowland
Burgess	Cushman	Lee	Randall	D. P. Wood
Clinton	Hinkley			

12

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolution in the words following, to wit :

Resolved, (if the Assembly concur,) That this Legislature will adjourn *sine die* at the hour of half-past eleven o'clock a. m., this seventeenth day of April.

By unanimous consent,

Resolved, That said resolution be immediately considered.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows :

"An act authorising the Comptroller to loan money to the trustees of Pulaski school district, and for other purposes."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 72 }
{ NOES 03 }

Those who voted in the affirmative are,

Aitken	Cost	Harpur	McMurray	Speaker
Baker	Cumming	Harris	G. Miller	Underwood
Backus	Cushman	Hinkley	Mitchell	Ward
R. J. Baldwin	Dawson	Howell	Morris	Wart
Barrow	Dewey	Hoyle	Noble	Weed
Barton	A. A. Dunlop	Mat. Hutchinson	Odell	White
Bennett	R. Dunlap	Jenkins	Palmer	Wilson
Bergen	Edwards	Kinney	Peters	Wilder
Boardman	Ferguson	Leigh	Richards	J. E. Willis
Boyd	Fiero	Littlefield	Savage	Williams
Burgess	Freeman	Littlejohn	Scott	Wiane
Burnett	Germain	Maguire	Sessions	D. P. Wood
Clinton	Gibbs	Mallory	Sharp	J. S. Wood
Collins	Gleason	May	Sill	W. H. Wood
Conkling	Graham			

72

Those who voted in the negative are,

Lozier Stephens Suffern

1

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act to authorise the common council of New-York to borrow \$500,000 to build a reservoir for the Croton water works," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 68 }
{ NOES 10 }

Those who voted in the affirmative are,

Angle	Cost	Jenkins	Noble	Ward
Aitken	Cumming	Kinney	Odell	Wart
Baker	Cushman	Lee	Preston	Whipple
R. J. Baldwin	Dewey	Littlefield	Randall	White
S. Baldwin	Ferguson	Littlejohn	Savage	Whitman
Barrow	Germain	Lozier	Scott	Wilson
Barton	Gleason	Maguire	Searing	Wilder
Benedict	Graham	Mallory	Seeley	D. Willis
Bennett	Harris	May	Sill	J. E. Willis
Bergen	Hatch	McMurray	Speaker	Williams
Boardman	Hinkley	Mills	Stephens	D. P. Wood
Burgess	Holdridge	G. Miller	Sterling	J. S. Wood
Clinton	Howell	Mitchell	Underwood	W. H. Wood
Cook	Mat. Hutchinson	Morris		

64

Those who voted in the negative are,

Chesebro A. A. Dunlop Gott Rowland Suffern
Collins Edwards Richards Sessions Weed

10

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same without amendment.

The question being on the adoption of the resolution of the Senate in relation to adjournment,

Mr. Clinton moved to amend by substituting "one o'clock p. m." for "half-past eleven o'clock a. m."

Mr. Collins moved the previous question.

Mr. Speaker put the question whether the House would second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 57 }
{ NOES 28 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Backus	Cost	Hoyle	Odell	Sterling
S. Baldwin	Cumtaining	Mat. Hutchinson	Palmer	Suffern
Barton	Dawson	Jenkins	Peters	Underwood
Beers	Dewey	Leigh	Preston	Whipple
Bennett	A. A. Dunlap	Littlejohn	Richards	White
Bergen	R. Dunlap	Maguire	Rowland	Whitman
Boardman	Edwards	May	Searing	Wilson
Boyd	Freeman	McMurray	Sessions	Wilder
Burgess	Graham	S. F. Miller	Gill	J. E. Willis
Burnett	Harpur	Morris	Speaker	D. P. Wood
Collins	Harris	Noble	Stephens	W. H. Wood
Conkling	Hinkley			

57

Those who voted in the negative are,

Angle	Benedict	Germain	Lozier	Seeley
Aitken	Brust	Gleason	Mallory	Sharp
Bailey	Chesbro	Holdridge	Mills	Ward
Baker	Clinton	Howell	Savage	Wart
R. J. Baldwin	Crocheron	Lee	Scott	Williams
Barrow	Fiero	Littlefield		

28

Mr. Speaker then put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

{ AYES 50 }
{ NOES 40 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Aitken	Burnett	Graham	McMurray	Sessions
Backus	Cook	Harpur	S. F. Miller	Underwood
S. Baldwin	Collins	Hatch	Morris	Weed
Barton	Conkling	Hinkley	Odell	White
Beers	Cumming	Mat. Hutchinson	Palmer	Whitman
Bennett	Dawson	Joy	Peters	Wilson
Bergen	Dewey	Leigh	Preston	J. E. Willis
Boardman	R. Dunlap	Littlejohn	Richards	D. P. Wood
Boyd	Edwards	Maguire	Rowland	J. S. Wood
Burgess	Freeman	May	Searing	W. H. Wood

50

Those who voted in the negative are,

Angle	Clinton	Gleason	Mallory	Speaker
Bailey	Cost	Holdridge	Mills	Sterling
Baker	Crocheron	Howell	G. Miller	Suffern
E. J. Baldwin	Cushman	Hoyle	Mitchell	Ward
Barrow	A. A. Dunlop	Jenkins	Noble	Wart
Benedict	Ferguson	Loe	Savage	Whipple
Brust	Fiero	Littlefield	Scott	Wilder
Chesebro	Germana	Lozier	Seelcy	Williams

40

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same without amendment.

During the call,

Mr. Mallory asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Mallory, and it was determined in the negative.

Mr. Randall asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Randall, and it was determined in the negative.

Mr. D. P. Wood moved to reconsider the vote just taken on the motion to excuse Mr. Randall.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. P. Wood, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to excuse Mr. Randall, and it was determined in the affirmative.

Mr. Scott asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Scott, and it was determined in the negative.

Mr. Searing offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Hon. Robert H. Pruyn is entitled to the thanks of this House, for the courtesy with which he has presided over our deliberations, and for his impartial and intelligent administration of the rules.

Mr. Speaker (Mr. Lozier in the chair) put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled as follows:

"An act to incorporate the Bloomingdale savings bank."

Mr. Speaker put the question whether the House would agree to said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 02 }

Those who voted in the affirmative are,

Angle	Crocheron	Hoyle	Noble	Sterling
Atken	Cumming	Mat. Hatchinson	Odeil	Underwood
Baker	Dewey	Jenkins	Preston	Ward
S. Baldwin	R. Dunlap	Leigh	Richards	Wart
Barrow	Freeman	Littlefield	Rowland	Weed
Beefs	Gernath	Littlejohn	Savage	Whitman
Benedict	Gleason	Leslie	Scott	Wilson
Boardman	Graham	Maguire	Searing	Wilder
Brust	Harpur	May	Sessions	J. E. Willis
Burnett	Harris	McMurray	Seely	Winne
Chesebro	Hatch	Mills	Sharp	D. P. Wood
Clinton	Hinkley	Mitchell	Speaker	J. S. Wood
Cook	Holdridge	Morris	Stephens	W. H. Wood
Cout	Harrell			

67

Those who voted in the negative are,

Dawson Whipple

2

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Sterling,

Resolved, That the thanks of the House are eminently due and are hereby presented to Richard U. Sherman, the Clerk of the House, and his Assistants, for the able, impartial, and diligent manner in which they have discharged their duties.

Mr. Peters moved that a committee of two be appointed to wait upon the Governor and a committee of two to wait upon the Senate, and inform them that the House is now ready to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Peters, and it was determined in the affirmative.

Mr. Speaker announced as the committee to wait upon the Governor, Messrs. Peters and Rowland.

Mr. Speaker announced as the committee to wait upon the Senate, Messrs. Lozier and Cushman.

Mr. Peters, from the committee appointed to wait upon the Governor, reported that the committee had discharged that duty, and that the Governor was pleased to inform them that he had no further message to communicate to the Assembly.

Mr. Lozier, from the committee appointed to wait upon the Senate, reported that they had waited upon that body, and informed them that the Assembly were now ready to adjourn.

Messrs. Danforth and Pratt, a committee from the Senate, appeared, and announced that that body were now ready to adjourn.

On motion of Mr. Ward,

The Journal of the day's proceedings was approved.

The hour of half-past eleven o'clock having arrived, Mr. Speaker arose and said:

Gentlemen of the Assembly:

The complimentary resolution which you have unanimously adopted; adds to the already great obligations your kindness has imposed upon me.

When I entered upon the discharge of the duties of this chair I solicited your co-operation and support so long as my administration of your rules was characterized by firmness and impartiality.

During the entire session no appeal has been taken from any decision of the Chair. A fact so unusual, if not unprecedented, by no means proves that the decisions of the Chair have always been correct. But I think I have a right to infer from it, that you have been convinced that I have aimed to be impartial, and have been actuated by honesty of purpose.

A great moral question, which has excited deep feeling throughout this State and country, has been for a long time under your consideration. The known difference of opinion relative to that measure which has existed between the Chair and a large majority of this House, has rendered my position one of unusual difficulty and delicacy. That I have been able to meet your approval in all the phases and excitement of the discussion of that measure, has afforded me the most profound satisfaction.

Many laws of great importance have been passed by this Legislature. You have revised and perfected our great and beneficent system of public instruction. You have remembered the orphan and ministered to the infirm and sick by liberal appropriations. You have applied the axe to the root of abuses which have existed in our prisons, and subjected their officers to a supervision and control which will save a vast amount to the public treasury. In obedience to the popular will, most emphatically expressed, you have caused those great public works to be resumed, which will prove a lasting monument to the patriotism and wisdom of those who have preceded us, and a source of incalculable wealth to those who shall succeed us.

The judgment of the public has already in some measure been passed upon your official conduct. It has been generally conceded that you have been unusually diligent and faithful in the discharge of your public duties, and that an unprecedented harmony has marked all your deliberations. I have been truly fortunate in having for my associates gentlemen who have been so deeply and constantly impressed with the gravity of their responsibility.

An unusually large number of the members of this House were strangers to each other at the period of our assembling. At the hour of parting we cannot fully realize the number and the strength of the friendships we have formed. With you, as with myself, I have no doubt it will be hereafter found that we can look back to the period of our brief intercourse and find no time save the present which has occasioned any emotion of regret or pang of sorrow.

We have had several admonitions that to many of us this may prove a last farewell. One of our number has been unable to meet with us. So critical is his situation as to forbid the hope

that any of us will ever see his face. Another, who was with us a brief season, and yet long enough to become endeared to us by the unaffected simplicity and amiability of his character, was removed by death in the midst of his usefulness. Still another has just returned from the performance of the solemn duty of committing to the sepulchre a beloved child, cut down without warning in her innocent beauty. An unusually large number of our associates have been detained from their duties by severe and painful sickness. All these providences admonish us also to be ready for that great assembly where yet again we shall see each other face to face.

Gentlemen, if at any time, by thought, word or deed, I have wounded the feelings of any of you; if at any time I have even appeared to trespass on the rights of any, believe me, it was as far from my purpose, as I hope it is foreign to my nature, to do an intentional wrong.

For each and all of you I entertain sincere regard and respect. I solicit a place in your kind remembrance. For each and all of you I pray there may be in reserve an useful, honorable and happy life, and a tranquil death.

Bidding each of you an affectionate farewell, I commend you all to the care of that kind and wise Providence which sustains us all; and now, in obedience to your resolution, declare this House adjourned without day.

And the House thereupon adjourned.

RICHARD U. SHERMAN, *Clerk.*

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